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of Transportation
National Highway
Traffic Safety
Administration

Driver License Compact Study

Evaluation and Recommendations

COMPLETED
158

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16. Abstract

The purpose of this study was to review the status of the Driver License Compact. The 1960 Driver License Compact has not been revised nor updated since its enactment. There is strong evidence that the one license/one record concept is not effectively implemented. The review showed a high percentage of drivers with multiple licenses, particularly commercial drivers.

A variety of methods was used to collect data for this study. State driver licensing statutes were reviewed to determine the degree of uniformity among the states and the extent of conflicting laws. State officials, consultants, representatives from Federal and private organizations were queried to gain insight into current weaknesses and strengths of the Compact. This information enabled the project staff to make recommendations for a revised Compact and appropriate administrative procedures. In general, the lack of consistency in collecting surrendered licenses and not checking with prior state of resident accounted for a large part of the multiple license problem. Other factors were lack of uniformity in laws, definitions of residency, convictions, forms, classified licensing systems, and point systems. A key recommendation was the formation of a Commission to coordinate state activities to improve communication and uniformity. Short and long term recommendations were made.

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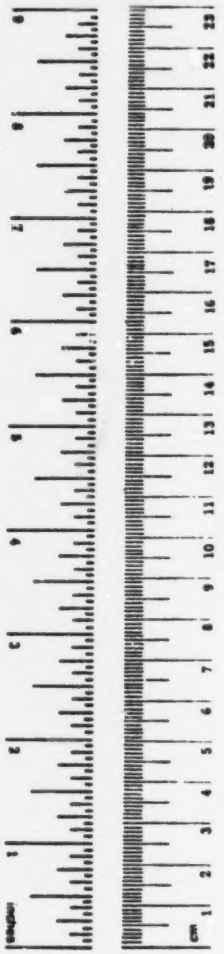
METRIC CONVERSION FACTORS

Approximate Conversions to Metric Measures

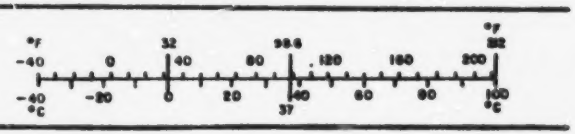
Symbol	When You Know	Multiply by	To Find	Symbol
	LENGTH			
in	inches	*2.5	centimeters	cm
ft	feet	30	centimeters	cm
yd	yards	0.9	meters	m
mi	miles	1.6	kilometers	km
	AREA			
in^2	square inches	6.5	square centimeters	cm^2
ft^2	square feet	0.09	square meters	m^2
yd^2	square yards	0.8	square meters	m^2
mi^2	square miles	2.6	square kilometers	km^2
	acres	0.4	hectares	ha
	MASS (weight)			
oz	ounces	28	grams	g
lb	pounds	0.45	kilograms	kg
	short tons (2000 lb)	0.9	tonnes	t
	VOLUME			
tsp	teaspoons	5	milliliters	ml
Tbsp	tablespoons	15	milliliters	ml
fl oz	fluid ounces	30	milliliters	ml
c	cups	0.24	liters	l
pt	pints	0.47	liters	l
qt	quarts	0.95	liters	l
gal	gallons	3.8	liters	l
ft^3	cubic feet	0.03	cubic meters	m^3
yd^3	cubic yards	0.76	cubic meters	m^3
	TEMPERATURE (exact)			
°F	Fahrenheit temperature	5/9 (after subtracting 32)	Celsius temperature	°C

*1 in = 2.54 (exactly). For other exact conversions and more detailed tables, see NBS Misc. Publ. 286, Units of Weights and Measures, Price $2.25, SD Catalog No. C13.10:286.



Approximate Conversions from Metric Measures

Symbol	When You Know	Multiply by	To Find	Symbol
	LENGTH			
mm	millimeters	0.04	inches	in
cm	centimeters	0.4	inches	in
m	meters	3.3	feet	ft
m	meters	1.1	yards	yd
km	kilometers	0.6	miles	mi
	AREA			
cm^2	square centimeters	0.16	square inches	in^2
m^2	square meters	1.2	square yards	yd^2
km^2	square kilometers	0.4	square miles	mi^2
ha	hectares (10,000 m^2)	2.5	acres	
	MASS (weight)			
g	grams	0.035	ounces	oz
kg	kilograms	2.2	pounds	lb
t	tonnes (1000 kg)	1.1	short tons	
	VOLUME			
ml	milliliters	0.03	fluid ounces	fl oz
l	liters	2.1	pints	pt
l	liters	1.06	quarts	qt
l	liters	0.26	gallons	gal
m^3	cubic meters	35	cubic feet	ft^3
m^3	cubic meters	1.3	cubic yards	yd^3
	TEMPERATURE (exact)			
°C	Celsius temperature	9/5 (then add 32)	Fahrenheit temperature	°F



EXECUTIVE SUMMARY

Introduction

The purpose of this study was to review the current effectiveness of the Driver License Compact and to identify alternatives that would be acceptable for both improving the system and prompting non-party states to adopt the Compact. The Compact, enacted some twenty years ago (1960), has not been revised to keep up with driver licensing needs and changes. Inherent in the Compact are certain statutory and administrative impediments to fulfilling its intent.

Specific tasks in this study were designed to identify and understand how weakness of both the license system and Compact could be overcome. The end result of this effort would be recommendations for encouraging non-party states to adopt a revised compact which would overcome many of their objections to joining.

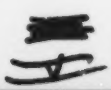
Basic Provisions of the Compact

The Compact is an effort to provide for cooperation among the states in the exchange of driver offense information as a means of aiding driver enforcement programs and reducing accidents. The agreement is particularly directed toward the exchange of certain serious offenses. It encourages procedural uniformity in state handling of license revocation and other processes involving offenses in states other than the licensing state. Specifically, the compact is intended to help accomplish the following major objectives:

- Implementation of the "one license concept"
- Implementation of the "one record concept"
- Insure uniform and predictable treatment of drivers regardless of state of residence.

1) implementation of the "one license concept" on a nationwide basis. The goal here is to prevent the maintenance of multiple licenses from different states by a single individual and prevent the use of such multiple licenses to retain driving privileges in the face of conduct and convictions warranting revocation or suspension. Under the agreement it is intended that such a driver not be eligible to receive a license from another state unless he surrenders his current license.

2) implementation of the "one record" concept. The second major goal of the DLC is to insure that a driver's entire driving record including offenses in all states in which he has driven be used in determining driving eligibility in his home state and all other states. Under the Compact, a drivers complete driving record (including offenses in all party states) would be on file in his home state and would accompany him to a new state when he moved.



3) Uniformity. The DLC also seeks to insure uniform and predictable treatment of a driver convicted of a serious driving offense regardless of whether the offense and conviction occurred in the state of the driver's residence. The philosophy behind the DLC provisions in this area is that a driver's license should be suspended, revoked or limited if his conduct in a foreign state was such that if it had occurred in the state of his residence it would have called for such suspension, revocation or limitation. Those offenses specified under the Compact are: 1) manslaughter or negligent homicide, 2) driving while intoxicated, 3) conviction of a felony in which a motor vehicle was used, and 4) conviction of failure to stop and render aid in an accident resulting in death or personal injury. It is important to note in this context that the action taken under the compact would be taken by the driver's own home state officials and would be based upon home state law and not on the laws and policies of the state where the offense(s) occurred. Of course, the state or states where the offense(s) occurred could still take unilateral action against the foreign driver's right to drive within their state, but the assessment of action against the home state privileges would still be up to the home state.

Method

The study employed a wide range of methods to gain insight into the nature of specific Compact weaknesses and strengths. Interviews with state officials proved to be a good indicator of receptivity to the Compact as well as areas in need of improvement.

Case studies of eight selected states representing both Compact and non-Compact states helped understand why non-party states decline adoption of the DLC, and pointed to areas in need of correction.

A state by state analysis of the Uniform Vehicle Code (UVC) and state motor vehicle codes pertaining to provisions of the Driver License Compact was conducted. This analysis not only provided a summary of variations by states but will guide future efforts to bring about uniformity. A CSG survey helped identify specific needs as did other research studies. Consultants, state officials, panel members, and interested organizations provided advice on data collection procedures, reviewed the draft report and offered suggestions for future efforts.

Findings

The maintenance of the one license/one record concept requires the surrender of an out-of-state drivers license and the determination of driving eligibility in the driver's home state and all other states.

The study found strong evidence that multiple licenses are issued and that there is a definite need for improving the system.

Summary of Reasons for Multiple Licensing

Various studies show that multiple licensing is prevelant primarily because the states:

- fail to require surrender of a current foreign state license
- fail to notify the home state of a license pickup
- fail (home state) to update the system in a timely manner
- fail to check thoroughly other states records for suspension/ revocation or confine the check to Compact states only
- must depend on the truthfulness of an applicant rather than obtain records from a central source
- use methods of checking (i.e. NDR) which require complete participation to be effective
- fail to act on the information they receive
- have conflicting laws on residency
- need to implement uniform classified license systems.

Responses to the question of "what would make the DLC more acceptable to states" (AAMVA Workshop, February 23-28, 1981) suggest that uniformity is a key concern. Comments given more than once at this workshop are listed below.

Selected comments from different state officials on what would enhance the acceptability of the DLC.

- uniformity in penalties for traffic violations
- compatibility between state laws
- improved communication/coordination of compact provisions
- more timely response on record inquiries
- defining punishment and streamlining communications

- uniform license requirement
- uniform format for record exchange
- more uniform laws
- uniform point system
- uniform definition of conviction

Conclusions and Recommendations

A primary conclusion of this study is the need to improve communication and coordination among the states. To varying degrees the Compact states comply with its provisions, and, at least in spirit, they support the one license concept. Similarly, non-Compact states, particularly those states that have adopted most of the UVC provisions, meet some of the Compact requirements.

A consistent finding was the appeal for statutory and administrative uniformity among states. Anticipated results of uniformity would be reduced costs, more rapid record search, more accurate and comprehensive driver records and, finally, increased ability to comply with the provisions of the Compact.

The investigation did not reveal any significant resistance to the Compact concept. This conclusion is based on a mailing to all states, discussion with state administrators on the technical panel, and interaction with motor vehicle administrators at the AAMVA workshop in Nashville. In fact, a resolution to establish an active Compact Commission was adopted by the participants in the AAMVA workshop.

It is the view of the project staff that success of the DLC lies more in the establishment of an authority to coordinate interstate activities than in specific revisions of the Compact. Provisions for this authority should be made explicit within the language of the Compact.

Based on our review of the literature and interaction with state officials we feel that the commission authority and functions should be:

- limited to specific interstate problems
- concerned only with general principles of the one license/one record concept
- concerned with the development of procedures for interstate decision-making
- concerned with a review of specific statutes but could not significantly invalidate or nullify current state licensing laws without state consent
- to arbitrate and determine disputes that occur between states for non-compliance because of statutory variations
- to promote uniformity of laws and administrative practices
- to provide means for the encouragement and utilization of research
- to provide a uniform set of policies and procedures for implementing the Compact which party states will be pledged to adopt.

Short Term Solutions

All short term solutions involve cooperation and coordination within the existing system. The study staff believes much could be accomplished by a Compact commission simply communicating what the states are doing, by serving as a clearinghouse to identify specific problems, and by encouraging states to comply with Compact responsibilities.

Long term recommendations assume continued cooperation and coordination but focus on a mechanism to implement the one license concept through the establishment of one record. Compatible computer systems monitored by the states and patterned after the NDR would accomplish this goal. Similar to the study recommendation for the NDR would be a system of "pointers" directing inquiries to a state(s) where an individual was previously licensed. [1]

Most weaknesses in the area of exchange of information and home state actions can be overcome by improved communication and coordination. By issuing bulletins and making recommendations for compliance, the Compact commission should achieve good results. Many states do not know if the information they send is ever used, and in some cases it is not used.

Long Term Solutions

Long term recommendations are centered primarily around the need for a compatible centralized computer system.

The NDR or similar system operated by the states appears to be one important resource for states to use to comply with the one license concept of the Compact. Prior to the establishment of the NDR, it was extremely difficult and expensive for a state to check with all other states to determine if the applicant's license had been suspended or revoked. Theoretically, the NDR provides a centralized procedure for doing so. Although there are several difficulties with the NDR, proposed improvements should make it a much more effective tool for driver licensing/improvement. NHTSA recently submitted a report to the Congress recommending that the present index type system be converted to a "pointer" type file. Substantive data would be maintained by the states and would be retrieved from the state of record in an on-line mode.

Conclusions

Although development of a revised Compact is a positive step, it would require a major commitment from the states and would take time. More immediate steps are needed to overcome system weaknesses and to help states move toward the one license concept.

Concurrent with the recommendation that states adopt a revised DLC, it is recommended that system weaknesses be approached in three steps:

1. A Compact commission should be established to assist the states. It would provide support functions and would also serve as a focal point for information exchange. It is recommended that the AAMVA organize the commission because of its experience with the Compact and its interaction with the states.

1 See The National Driver Register Study, NHTSA, June 1980, DOT-HS-805-527.

2. Within the context of AAMVA Regional Meetings, steps should be taken to:

   - develop strategy, solicit support from states to participate in commission activities
   - obtain input on proposed structure, authority and functions of the commission and vote on proposals
   - identify monetary resources for support of the commission
   - identify incentives for state participation

3. Research should be carried out to determine appropriate recommendations for:

   - uniform forms
   - uniform definitions
   - optimum computer systems
   - classified license system
   - point system
   - other relevant issues.

Because of statutory variations among states, the commission should be more than an advisory body. It should be granted the authority to resolve disputes between states. Such a grant of authority would not require major changes in the laws of individual states. The issue of whether to grant a commission this authority should be addressed in the series of AAMVA Regional Meetings.

The climate appears to be right for making significant improvements in the DLC system. The CSG staff interactions with panel members, interest groups and state officials have demonstrated a genuine interest in improving the system.

ACKNOWLEDGEMENTS

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The reception of State Licensing Officials attending the AAMVA Licensing Workshop in Nashville(February 1981) was extremely encouraging for improved interstate cooperation. A resolution for more active participation and commitment resulted from these interactions.

The efforts of CSG personnel associated with this project are greatly appreciated: Dr. Bob de Voursney, Director of Research, for his helpful revision comments; Scott Seymour, for help in the design of data collection instruments and the conduct of state interviews; University of Kentucky law students under the direction of a CSG Attorney Mr. Ben Jones; David Justice; Bailey Taylor; Hunt Logan; Wally Cybriwsky; and Phillip Brooks who conducted the state statute search.

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Chapter 1

PURPOSE AND METHODS

BACKGROUND

In 1980, over 145 million drivers licenses were in force in the United States. With increasing mobility of the driving population, there also has been a concommitant increase in the number of drivers license applicants interacting with licensing agencies on an interstate basis. Furthermore, many drivers residing near state borders often work in one state and live in another and, therefore, they often are subject to conflicting laws and regulations. In some cases, states are violating their own laws in issuing licenses (Hricko, 1979) and could be subject to citizen suits for non-compliance with provisions in statutes, acts, or compacts (Appendix A). Complications arise since state statutes and administrative rules and policies vary widely from state to state. The result is non-uniform driver control actions.

The lack of an effective means to determine a driver's actual nationwide driving record is an important defect in the driver enforcement control system. Problems in detecting and controlling problem drivers apply both to commercial drivers and to holders of general operators licenses. A high percentage of suspended/revoked drivers continue to drive (some estimates are as high as 90 percent; California, 1980). Many of these drivers acquire another drivers license during their suspension. Some of these drivers apply for a new license in jurisdictions where records are not checked. Others will apply for and obtain licenses in several states. Accidents and convictions are thereby spread over several licenses avoiding driver control actions. An AAMVA review revealed that eight out of eleven suspended drivers had acquired a valid driver license after the suspension action (AAMVA, 1979). These drivers, as well as those suspended but not currently licensed, are highly overrepresented in fatal accident statistics.

These problems have long been recognized, and one action taken to meet them was the creation of the Driver License Compact.

THE HISTORY AND PROVISIONS OF THE DLC

The Driver License Compact was made possible by the Beamer Resolution (Public Law 85-684) adopted by the United States Congress in 1958. That resolution noted the problems and the need for cooperative effort on the part of the states, and it provided advance consent to state action in the following terms:

> Resolved ... that the consent of Congress is hereby given to any two or more of the several states to enter into agreements or compacts -

(1) for cooperative effort and mutual assistance in the establishment and carrying out of traffic safety programs ... and
(2) for the establishment of such agencies, joint or otherwise, as they deem desirable for the establishment and carrying out of such traffic safety programs.

The first major response to the Beamer Resolution came in 1960 when The Council of State Governments started work on what would become the Driver License Compact. The work was begun following resolutions of the Western Interstate Committee on Highway Policy Problems and the Western Governors' Conference's urging that such an agreement be developed. The Council convened an interstate group which included representatives from a variety of governmental and private interests to be responsible for drafting the agreement. State motor vehicle administrators and the American Association of Motor Vehicle Administrators cooperated closely in the drafting of the compact. The Interstate Compact committee of the National Conference of Commissioners on Uniform State Laws and representatives of major national organizations active in highway safety matters assisted in the effort by commenting on successive drafts of the agreement. Legislators from a variety of states also were involved intimately in the compact drafting process. The fruit of these efforts was the Driver License Compact, which was offered to the states for legislative enactment in early 1961. It has now been adopted by thirty states.

The Compact seeks to obtain cooperation among the states in the exchange of driver offense information as a means of aiding driver enforcement programs and in reducing accidents. The agreement is directed toward the exchange of information about certain serious offenses. It also encourages procedural uniformity in state handling of license revocations and other processes involving offenses in states other than the licensing state. Specifically, the compact aims to help accomplish three major objectives:

- Implementation of the "one license concept";
- Implementation of the "one record concept";
- Insure uniform and predictable treatment of drivers regardless of state of residence.

Implementation of the "One License Concept"

Nationwide Implementation of the "One License Concept"

The goal is to prevent individual drivers from obtaining multiple licenses from different states and to prevent the use of such multiple licenses to retain driving privileges despite conduct and convictions warranting revocation or suspension. Under the Compact an individual is allowed to have only one license at any particular time. That license is to be issued and controlled by the state in which the driver resides. Any driving which that driver wishes to do in another state is to be based upon his home state license. Under the Compact such a driver is not eligible to receive a license from another state until his existing license is surrendered.

Implementation of the "One Record Concept"

This second major goal of the DLC is to insure that an individual's entire driving record, including offenses in all states in which he has driven, is used to determine his driving eligibility in his home state and all other states. Ideally this complete driving record would follow the driver from state-to-state. It would be used by all states to determine his driving eligibility when he applies for a license and his continued eligibility during licensure. Under the Compact, a driver's complete driving record (including offenses in all party states) would be on file in his home state. It would accompany him if he moved to another state.

Uniformity of Treatment

The DLC also seeks to insure uniform and predictable treatment of drivers convicted of serious traffic offenses wherever the offense and conviction occurs. The philosophy behind the DLC provisions is that a driver's license should be suspended, revoked, or limited if his driving conduct in another state was such that if it had occurred in the state of his residence it would have called for suspension, revocation, or limitation. However, the Compact drafters were concerned about the varying definitions of offenses and the varying administration of traffic laws among the states. Accordingly, the mandatory language of the Compact is limited to convictions of driving conduct universally recognized to be extremely serious. Those offenses specified in the Compact are (1) manslaughter or negligent homicide, (2) driving while intoxicated, (3) conviction of a felony in which a motor vehicle was used, and (4) conviction of failure to stop and render aid in an accident resulting in death or personal injury. It is important to note that the action taken pursuant to the Compact would be taken by the driver's own home state officials. It would be based upon home state law and not on the laws and policies of the state where the offense(s) occurred. The state where an offense occurred could take unilateral action against the foreign driver's right to drive there, but action against the home state privileges would remain the responsibility of the home state.

MEMBERSHIP AND REACTION TO DLC

Figure 1 shows the geographical distribution of DLC states. It is evident that all the western states are members except Alaska. After that, with the exception of small clusters of non-compact members, there does not appear to be a strong geographical pattern.

The thirty states [2] which are currently parties to the DLC are:

Alabama (1966)	Indiana (1967)	New Mexico (1963)
Arizona (1963)	Iowa (1965)	New York (1965)
Arkansas (1969)	Kansas (1965)	Oklahoma (1967)
California (1963)	Louisiana (1968)	Oregon (1963)
Colorado (1965)	Maine (1963)	Tennessee (1965)
Delaware (1964)	Mississippi (1962)	Utah (1965)
Florida (1967)	Montana (1963)	Virginia (1963)
Hawaii (1971)	Nebraska (1963)	Washington (1963)
Idaho (1963)	Nevada (1961)	West Virginia (1971)
Illinois (1963)	New Jersey (1966)	Wyoming (1977)

Reaction to and support of the DLC since its promulgation in 1961 has been favorable. Organizations which have endorsed the Compact include the American Association of Motor Vehicle Administrators (AAMVA), The Council of State Governments, the various regional Governors' Conferences, the Highway Users Federation, the International Association of Chiefs of Police, and the President's Committee for Traffic Safety.[3] Criticisms of the Compact will be discussed in detail in this report. The position of the U. S. Department of Transportation in the past has been that "each state enact or comply" with the DLC, which may be termed an endorsement of the DLC goals if not an endorsement of the specific mechanism. Support for the DLC among the states is evidenced not only by the endorsements of organizations representing state officials, but also by the fact that 60 percent of the states have enacted the Compact. The party states also contain approximately 60 percent of the nation's driving population. One important conclusion of this study is that whatever opposition arose to the DLC may have been due principally to lack of information and failure of communication rather than to substantive opposition to its principles. This conclusion will be considered in detail later in this report.

[2] The year each state adopted the Compact is shown in parenthesis.

[3] This Committee is extinct.

THE LEGAL CONTEXT OF THE DLC

Three legal documents figure most prominently in any discussion of the concepts of one driver license, one driver record, and reciprocity in sharing data and acting on interstate offenders. They are the Driver License Compact, the Uniform Vehicle Code and the Non-resident Violator Compact. A detailed comparison and analysis of the DLC and the UVC is included in Appendix B , while the NRVC is discussed below. The DLC is an interstate compact, which carries significant implications for its application. The UVC, a comprehensive model statute produced by the National Committee on Uniform Traffic Laws and Ordinances, is a very different instrument. The UVC is a statute which all states are asked to adopt as their vehicle and traffic law. The UVC contains provisions which are quite similar in purpose and scope to those of the DLC,but the UVC contains provisions on many subjects of traffic and vehicular law which are not within the coverage of the DLC. Some UVC provisions do not even relate to the interstate aspects of driver licensing. Therefore, the UVC is a comprehensive "model" vehicle and traffic act. The DLC is a formal interstate agreement which attempts to regulate only those aspects of driver licensing law which relate to the one license concept, the one record concept, and reciprocity in sharing and acting upon information regarding interstate traffic offenders.

NON-RESIDENT VIOLATOR COMPACT (NRVC)

The Non-resident Violator Compact was drafted to assure non-resident motorists cited for traffic violations in member states the same treatment accorded resident motorists. Specifically, the NRVC allows a non-resident in a party state to continue on his way after a compact citation is issued rather than post collateral or appear before a local traffic court or magistrate. Among party states the non-resident must fulfill the terms of that citation or face the possibility of license suspension in the motorist's home state until the terms of the citation are met.

This compact benefits law enforcement agencies by eliminating much of the law enforcement time off the highway while the terms of citation are being met. It benefits the non-resident motorist by eliminating the need to meet the terms of the citation immediately to avoid incarceration.

The NRVC is of importance to this study because a 1979 revision to the UVC (Section 6-203.1) stated: "The department may enter and carry out the provisions of the non-resident violator compact." To date, twenty states and the District of Columbia have adopted the NRVC. Like the UVC the NRVC does not require the consent of Congress to join although implicit consent probably similarly flows from the Beamer Resolution (P. L. 85-684, 72 Stat. 635 (1958)).

ANTICIPATED WEAKNESSES OF THE DLC

The goals of this study included an examination of some perceived weaknesses in the DLC. Nevertheless, it is important to recognize the significant strengths of the DLC as well as its weaknesses. The strengths of the compact instrument are the subject of Appendix B of this report. DLC weaknesses which had been noted and which were included in the original work plan of this project stemmed from its lack of completeness and uniformity of terms and procedures. Such problems became apparent during the twenty years since the drafting of the DLC, and many have been addressed in the UVC through periodic revisions. Four often mentioned effects of the DLC's lack of completeness and uniformity which were to be examined by this project were:

1. The problem of driver licensing for the part-time or temporary state resident. Temporary and part-time residence within a state creates licensing problems. The state in which an individual is a temporary or part-time resident must balance the need to maintain control over that individual against the desire to avoid issuing licenses and creating records for that individual in more than one state. The present Compact does not deal with this problem. Detailed discussion and possible remedies through amendments to the DLC are presented in Chapter III and Appendix C.

2. Problems of a documentary nature. These include the difficulties likely to spring from the lack of a uniformly accepted set of forms and documents for the exchange of data under the DLC. Such forms must not violate privacy laws or other requirements respecting such forms. The principal documentary problems were, therefore, anticipated to be (1) needed uniformity of format for the exchange of information and, (2) the failure of current state law to assure the acceptance of such forms by all party states.

3. The problem of license return. The UVC requires a state licensing a new resident to physically return the old license to the issuing state. The Driver License Compact does not specifically require the return of the license (although it might be argued that this was intended). Such physical return of many licenses appears to cause difficulty which might be eliminated by the adoption of notification procedures which are simple and more efficient. It was assumed that appropriate modifications in the Compact might provide such simplification and might also encourage greater use of the notification procedures.

4. The lack of a coordinating mechanism. The lack of a continuing mechanism to coordinate state participation in the DLC was viewed as a possible cause of both general and specific dissatisfaction with the Compact. Because of the common use of secretariats and commissions to administer other interstate compacts, revision of the DLC to include such a mechanism was perceived as a possible means of making interstate data exchange more efficient.

ANTICIPATED SOLUTIONS AND RECOMMENDATIONS

This project began with the assumption that prominent among its results could well be the recommendation of a revised Driver License Compact. It was anticipated that if revision of the Compact were to be recommended it was equally appropriate to examine the issue of the desirability of a compact commission.

Chapter 2

METHODS

The research methods employed in this project were oriented toward identifying and verifying the current strengths and weaknesses of the DLC and the development of solutions to the problems discovered. At every level of investigation, areas in need of improvement or change were sought so that corrective actions could be considered. The methods included:

1. Use of technical panel and consultants for review of documents and technical input;
2. statutory and case law review;
3. review of non-legal research data - safety literature and interviews of personnel from key traffic related organizations;
4. indepth interviews in eight selected states.

DIFFERENT APPROACHES

(1) Selection of a Technical Panel and Consultants

Six (6) state and national authorities knowledgeable in the administration of DLC law and/or state driver licensing laws were asked to serve on an ad hoc technical panel for the study. The panel reviewed and evaluated the CSG draft report, and provided substantive comments on how best to implement a revised DLC in the states. In addition to the panel, two (2) consultants assisted the CSG in reviewing the field interview questionnaire and provided a preliminary review of the draft report. In particular they evaluated all research performed and made suggestions for the proposed revised Compact developed by this project.

(2) Statutory and Case Law Review

The driver licensing statutes of all fifty (50) states, statutes relating specifically to the Driver License Compact, and the Uniform Vehicle Code were reviewed. This effort included an examination of relevant legal digests, law review articles, annotated statutes and legal encyclopedias to identify particular decisions, issues and state statutes.

A summary sheet for each state was prepared covering its participation in the DLC and its other UVC enactments relating to the subjects included in the DLC. This summary is found in Appendix D.

(3) Analysis of Non-legal Research Data

Non-legal research reports were utilized to produce a working body of data on driver licensing functions, with a emphasis on interstate perspectives.

A thorough review of these documents enabled the CSG staff to supplement the legal research, to identify critical questions for the field case study review of eight (8) states, to identify more general strengths and weaknesses of the driver licensing system, and to determine how the DLC relates to other parts of that system. In addition, personnel from key traffic related organizations were interviewed. Independent of this study, The Council of State Governments surveyed its members on driver licensing practices. The data was useful for obtaining a general perspective on licensing practices augmenting other information.

(4) Selected Case Studies

The project staff selected and visited eight (8) states to conduct case studies to corroborate and expand on the literature research findings, and gain additional first-hand information on the operation of the DLC. These on-site examinations provided overviews of the administrative rules, procedures and practices exercised by the several states. Further, and most importantly, they provided evidence of the attitudes of state officials toward the Driver License Compact and interstate licensing problems. The operations of the states selected were compared and contrasted as were their implementations of statutory and other written policies.

The eight (8) states studied consisted of:

a. Two DLC party states which have also adopted most of the counterpart provisions of Chapter 6 of the UVC. (Arizona and Nevada).

b. Two DLC party states which have adopted few, if any, of the counterpart provisions of Chapter 6 of the UVC. (New York and Indiana).

c. Two non-party states which have adopted and operate in accordance with all or most of the provisions of Chapter 6 of the UVC. (Georgia and Kentucky).

d. Two non-party states which have adopted few, if any, of the provisions of Chapter 6 of the UVC. (Connecticut and New Hampshire).

PREPARATION, REVIEW AND REVISION OF THE REPORT

Following completion of all research, CSG prepared its draft report, which was reviewed by the consultants and the technical panel. The comments included an evaluation by the technical panel of proposed compact language revisions and the propriety and value of an administrative secretariat or commission. Input from the panel, the consultants, and state officials was then used to prepare the final version of the report.

Chapter 3

FINDINGS

The Driver License Compact requires four major, interrelated commitments from the party state:

1. A policy favoring the "one license" concept whereby the state requires surrender of an out-of-state driver's license prior to its issuance of a license.

2. Maintenance of a driver's entire driving record to determine driving eligibility in his home state and all other states. This complete driving record would ideally follow the driver from state-to-state.

3. Exchange of reports of certain traffic convictions of out-of-state drivers with the home-state licensing agency.

4. License action by the home state to give the same effect to unlawful out-of-state conduct of its drivers as if the traffic violation had occurred within the home state.

The one license and one record concepts (Items 1 and 2), constitute the heart of the compact. An effective one license policy requires that the licensing agency be aware of a driving offense regardless of where it occurs. The maintenance of a single or "one" record is simply implementation of the policy. That is, an individual could have several state licenses, but if the complete driving record were available to all jurisdictions and were functionally updated with convictions from all jurisdictions, then the primary policy goal could be achieved. It is technically feasible for states to maintain a system for establishing a complete driver record. Thus, implementation of the one license concept may seem to be an important step toward establishing uniformity of driver control. However, the goal of driver control/improvement ultimately requires implementation of the one record concept and easy access to that record.

The quality, uniformity and completeness of information contained in the driver record depends on the extent to which states comply with the goals of exchange of traffic convictions reports, and home state action against its own drivers for out-of-state convictions.

NATIONAL IMPLEMENTATION OF THE "ONE LICENSE CONCEPT"

The goal here is to prevent a driver from having multiple licenses from different states, which may be used to retain driving privileges in the face of conduct and convictions warranting revocation or suspensions.

The one-license concept is highly desirable since its effective implementation would prevent driver license applicants from using two or more licenses from different states. Multiple licensing fosters a host of problems including: (1) enforcement; (2) identification; and (3) apportionment of convictions to any one of several licenses. Also, evidence of prior license actions (e.g., restrictions, suspensions or revocations) will not necessarily be known to licensing officials upon application for a license in another state.

Under the Compact an individual is supposed to have only one license. That license is to be issued and controlled by the state in which that driver resides. Any driving which that driver wishes to do in a state other than that of his residence is to be done by reciprocity based upon his home state license. According to the Compact,such a driver is not eligible to be licensed by another state until the existing license is surrendered.

One way states attempt to control multiple licensing is to require an applicant to surrender his license at the time of application for return to the issuing state. The manner in which states handle the returned license is important for maintaining the one license concept. The extent to which states share complete driver records and require a letter of clearance from the applicant's previous home state reflect the degree of that state's effort to comply with the one license concept. Definitions of "residency" may create difficulty for drivers and for states attempting to comply with the DLC, since drivers may hold licenses in more than one jurisdiction because of varying statutory language. Variations in classified license requirements also create difficulties since drivers may hold licenses based on different criteria. In some states employment status is used to license drivers. In others the approach involves vehicle use. Most states using a classified approach in accordance with the Uniform Vehicle Code base the license on the type of vehicle being driven. Some confusion arises when the driving privilege is divided into licenses based on employment. A driver could hold two separate cards, one for an operators license and the other for a chauffeur. Thus the one license concept is violated because of the two privileges and two licenses.

EVIDENCE OF MULTIPLE LICENSING

Although the one-license concept is generally accepted by the states, there is strong evidence that impediments to reaching the goals of the policy still exist.

A recent study on multiple driver licenses held by interstate truck drivers, conducted by the American Association of Motor Vehicle Administrators (AAMVA) and funded by the National Highway Traffic Safety Administration (NHTSA), clearly demonstrates an unacceptably high level of multiple licensing (DOT HS 805 645, 1980). A random sample of 3,500 drivers selected from "traffic flowing in both directions on high frequency interstate highways, over all hours of the day and days of the week" in five states was studied to determine the extent to which they held multiple drivers licenses. Table 1, extracted from the report, shows that from 10.8 to 32.1 percent of the drivers held multiple licenses.

> Multiple license percentage -- the percentage of drivers that were licensed in that state, who also had other valid licenses.

TABLE 1

Jurisdiction	Total Record Matches	No Record of Incorrect Matches	Valid Licenses	Other Valid Licenses	Multiple License Percentage*
Alabama	65	10	58	17	29.3
California	194	8	120	26	21.7
Georgia	308	41	277	30	10.8
Kentucky	139	38	139	22	15.8
South Carolina	84	18	84	27	32.1

*May be expected to increase as additional jurisdictions provide data.

(AAMVA, 1980)

Information obtained from the drivers helped the investigators identify license status through the NDR or checks with other states. These data most likely underestimate the magnitude of the problem since data from other jurisdictions were still being sent to AAMVA based on record matches.

Another NHTSA report on driver licenses in force (NHTSA September 1978, DOT-HS-805-345) showed there were more licensed drivers by certain age groups than the expected population. Although some excesses were due to license purging policies and temporary license applicants, this study further demonstrated the extent of the multiple license problem.

RETURNED LICENSES

The return of a license to a prior state of residence upon application for a new license is one way of sharing information, using the information for driver control and maintaining the one license concept. The CSG survey indicated that the majority of states return the new applicant's driver license to the prior state of residence. In Appendix F item 6, 29 respondent states indicated they returned the license and 2 returned a computer printout listing the driver license.

These findings are further substantiated by another recent study (NISR, 1981). They found that 23 states returned the license to the home state after surrender, one state destroyed the license and notified the home state and one state destroyed it but did not notify the home state. Further probing on the slight differences between the CSG survey and the NISR revealed that a few states stated that they "required" it but did not actually obtain it on a consistent basis.

One administrative control problem with the returned license is that it is obtained voluntarily. When a new resident of a state applies for a driver license he may not admit possessing a license from another state. When he does admit to having a license, the DLC states require the applicant to surrender the license. Most states physically return it to the issuing state. Our case study review found that most of the states follow this procedure whether or not they are parties to the DLC. In the case study reviews, exceptions were found in three states. In Connecticut, a current license need not be surrendered except where it was issued by a state which has specifically requested Connecticut to return it. In New York licenses are picked up and returned to DLC party states but not to other states. Arizona has determined that it is easier administratively to send the issuing state a certificate of destruction of the old license. Although Arizona's policy may be administratively easier, most other states studied have not indicated physical return of the license to be a significant burden. In addition, physical return provides an opportunity to spot altered licenses.

RECEIVING STATES HANDLING OF RETURNED LICENSES

What receiving states do with the returned license is important to the one record concept. A variety of policies is followed, ranging from a purge of the individual's driver record to no action. Some states

simply destroy the licenses periodically without purging the files. The individual's file in some states is purged only if there is no activity on the record for approximately two years after the license expires. Some states enter the license information on magnetic tape and update the file while purging the file according to a pre-set schedule. This practice appears to reduce multiple licensing. Unfortunately, only sixteen states were identified in the AAMVA Survey of 1980 as using the returned license to purge the license file. The whole driver control system suffers since the public eventually becomes aware of the system failure. This is particularly true of the commercial driver population as was demonstrated by the NHTSA/AAMVA truck driver survey.

LICENSE DENIAL BASED ON SUSPENSION/REVOCATION IN ANOTHER JURISDICTION

The second major goal of the Driver License Compact (DLC) is to insure that a driver's entire driving experience be used to determine driving eligibility in his home state and all other states. This complete driving record ideally would follow the driver from state-to-state and would be used by all states to determine his eligibility for licensing at the time of application and his continuing eligibility. Under the Compact, a driver's complete driving record (including offenses in all party states) ideally would be on file in his home state and would move with him if the driver changed his state of residence.

What is important is the extent to which the complete record is used (even checked) to determine whether the applicant holds a valid license and/or is eligible to receive a license. Under the Compact, a driver who is suspended/revoked in a party state will be denied a license.

THE SHARING OF FULL DRIVER RECORDS

Great variety exists in the states studied in regard to whether they want to receive or are willing to supply a full driver record when a driver moves to another state and applies for a license. Neither Connecticut or New Hampshire (non-UVC and non-DLC states) requests a record on a new resident before issuing a license. In addition, neither state supplies a former resident's driving record to his new state of licensing unless the state issuing the new license specifically requests the driving record. The two study states which have both the DLC and the UVC vary in their policies. In Nevada, a license application which indicates previous licensing in another state triggers a request to that state for the complete driving record. Notice to Nevada that one of its licensees has applied in another state also results in sending his record to that state. Although Arizona neither requests nor sends full records without request, Arizona officials believe that such a policy would be desirable. Indiana and New York (which have the DLC but not the relevant portions

of the UVC) neither request nor automatically send full driving records. Of course, this type of sharing of full driver records is to be distinguished from the more widespread use of the NDR and other means to determine whether a suspension or revocation is in effect. All of these checks depend to one degree or another upon the truthfullness of the applicant in admitting to previous licensing.

LETTER OF CLEARANCE

Although there are possibilities for breakdown in the approach, some states require a letter of clearance from the prior licensing agency. Eleven (11) of the forty two (42) respondent states reported this to be a requirement. Nevertheless, most of these states issue a temporary license until the clearance is received. This approach places responsibility on the applicant to provide proof of a prior valid license but it does not avoid the problem of fraudulent applications and false statements by applicants. Some states circumvent this problem to some extent by also checking with the NDR. The data in Appendix F, (7) indicate there is no consistent interstate procedure for licensing new applicants. Some issue a temporary license until a clearance is received and also require a complete driver record (CA). Another state will issue a temporary over-the-counter license and check with the NDR on a monthly basis (CO). Kansas requires the applicant to fill out an NDR card, requires a letter of clearance and requires a complete driver record.

Most states evidence some attempt to assess the prior driving record of the applicant. However, the approaches vary widely in completeness and effectiveness.

TEMPORARY RESIDENTS

The foundation of the one license concept is the idea that no driver should possess licenses from more than one state. The greatest difficulty states experience in adhering to this concept is encountered in dealing with temporary residents. However, some states act contrary to the concept by licensing for particular purposes drivers who are not even temporary residents. In Connecticut, for example, non-residents engaged in certain types of commercial driving may obtain "public service" licenses and also retain their home state licenses. In New Hampshire certain drivers (e.g. school bus drivers) may receive a special license even though they are non-residents and are licensed elsewhere. New York City requires a New York license for cab drivers and also requires surrender of current non-resident licenses. Thus, a New Jersey resident would be forced to relinquish his New Jersey license in order to drive a cab in New York. Most states interacting with Florida experience difficulty because Florida has an exception to the one license concept. Non-residents are required to surrender all licenses and obtain a Florida license if (a) they live in state six

consecutive months, or (b) are employed for 30 days or are in the state for educational purposes. The exceptions to this are for (a) demonstrated need for an out-of-state license for occupational purposes and (b) part-time residents. This exception appears to be inconsistent with the one license concept.

The problem of how a state should handle licensing of temporary residents is not addressed by the DLC. Because each state adopts its own definition of "resident" for purposes of determining who must be licensed and because there is little uniformity in these definitions difficulties arise. For example, a worker who resides in state A and works for five months out of the year in state B may be required to be licensed in both states, and yet, both states may prohibit his being licensed by another state. As a result of such conflicting laws, coupled with the widely accepted belief that a driver should be licensed only in his state of "residence", officials are forced to "look the other way" and permit what may be, at least, a technical violation of the law. Although there appear to be no recorded cases, it is possible that a driver who is "technically illegal" could be subject to criminal or civil penalties arising out of an accident or traffic violation.

In addition to the solution of "looking the other way", other means of treating the temporary resident exist. In Florida, the state issues temporary licenses for certain temporary residents which are endorsed "valid in Florida only." This approach is used in spite of its apparent incompatibility with the one-license concept. A closer inspection, however, reveals that the one license concept can be maintained while meeting other state interests (e.g. revenue). Personal correspondence with the Florida Division of Driver Licenses expresses its approach to the problem (February 6, 1981):[4]

> We offer the following comment on the one license concept. One significant obstacle to the implementation of the one license concept is the reluctance of the states to forego licensing revenue (this is the real world). Florida has recently amended its licensing law (s. 322.03(1), F.S., effective April 1, 1981) to provide that if a person must retain an out-of-state license because of part-time residence or employment, he may do so and still be issued a Florida driver license; however, the license will be valid only in this state. In addition, the Florida license will reflect the state of issuance of the retained license and the license number of that license. In this

[4] Permission to reprint portions of this letter received from Florida, March 30, 1981.

way, law enforcement, the judicial system and various records keeping functions will be aware of the existence of the prior license and so can tie the two together.

The letter further describes how this system would work without damaging the one license concept:

> When a person applies for a driver license, the issuing state would determine through the National Driver Register (NDR) if he is licensed by another state. This is assuming that the NDR is modified to conform with the recommendations of AAMVA and NHTSA whereby it will become both a pointer and a switching system for the interchange of driver records between states. If he were so licensed and if it were necessary to retain this license, a second license would be issued which would be valid only in the second state. Also, the second state would notify the first state that it had issued a second, limited license to the driver. Having been so notified, the first state would notify the second state of any traffic convictions received by the driver wherever committed, and of course, the second state would notify the first state of any convictions received while operating in the second state on the limited license. Thus, the driver, though possessing two licenses, would have but one driver record, upon which either, or both, states could take appropriate revocation or suspension action.
>
> This system would uphold the goal of the one license concept, which is to assure that a driver may not develop separate driver records with different violations, and the several states would not be forced to forego their licensing revenue.

THE CLASSIFIED DRIVERS LICENSE AND THE ONE LICENSE CONCEPT

Our review of the licensing laws in the states reveals that most states generally accept the one license concept but that many do not implement it. In some cases states have laws that are "contrary to the one license concept" (Traffic Laws Commentary, April, 1977, vol. 6, no. 4). The Traffic Laws Commentary indicates that eleven states have laws which conform to the UVC 6-101 (prohibiting multiple licensing). Another eleven have comparable laws which apply only to an operator's license, and the remaining 29 have no specific laws. Those states that have laws which are directly contrary to the concept maintain the operator - chauffeur distinction. What this means is that a non-resident is required to hold a chauffer's license before accepting employment. In some cases the driver will hold two (or more) licenses from different states. Thus violations can be accumulated on different licenses.

SUMMARY OF REASONS FOR MULTIPLE LICENSING

Various studies show that multiple licensing is prevelant primarily because the states

- fail to require surrender of a current foreign state license
- fail to notify the home state of a license pickup
- fail (home state) to update the system in a timely manner
- fail to check thoroughly other states records for suspension/ revocation or confine the check to Compact states only
- must depend on the truthfulness of an applicant rather than obtain records from a central source
- use current methods of checking (i.e. NDR) which require complete participation to be effective
- must act on the information they receive
- have conflicting laws on residency
- need to implement uniform classified license systems

EXCHANGE OF CONVICTION INFORMATION AND HOME STATE ACTIONS

Reciprocity issues, as they relate to the DLC, include both the exchange of information on non-resident violations and action by the home state on out-of-state violations by residents. Specific issues include:

- major offenses included in the DLC
- the meaning of "conviction"
- how party (DLC) states exchange and act on information (case studies)
- overview of states' participation

In addition to its provisions on the one license and one record concepts, the DLC also seeks to insure uniform and predictable treatment of drivers convicted of serious driving offenses regardless of where the offense and conviction occurs. The DLC provides that if driving conduct in a foreign state is such that if it had occurred in the state of residence it would have called for suspension, revocation, or limitation, then the state of residence is expected to take such action against the licensee. However, the concern of the Compact drafters about the varying definitions of offenses and the idiosyncratic administration of traffic laws among the states (specifically including the existence of "speed traps"), the mandatory language of the Compact is limited to convictions of offenses universally recognized to be extremely serious.

TYPES OF OFFENSES SPECIFIED IN THE DLC

Those offenses specified in the Compact are (1) manslaughter or negligent homicide, (2) driving while intoxicated, (3) conviction of a felony in which a motor vehicle was used, and (4) conviction of failure to stop and render aid in an accident resulting in death or personal injury. It is important to note that the action taken pursuant to the Compact is by the driver's home state officials and is based upon home state law and not the law of the state where the offense(s) occurred. Of course, the state or states where the offense(s) occurred could take unilateral action against the foreign driver's right to drive there, but action against the home state privileges would remain the responsibility of the home state.

It should be noted that the list of Compact offenses does not include all driving behavior considered to be extremely serious. The most notable omission is the speeding offense. Some have argued that the offense list should be expanded to include violations that are known to be related to accident involvement.

Researchers (University of North Carolina, 1976) have determined that other types of violations are more closely correlated to accident involvement. Such violations include turning, following, sign-signal violations, etc. (See Appendix E for list). If the offense list were to be expanded, it would require uniform definitions of the offenses added, or it would necessitate creation of a compact secretariat or commission with authority to adopt definitions for Compact purposes.

MEANING OF "CONVICTION"

Article II, Section (C) of the DLC defines "conviction" as a "conviction of any offense ... or a forfeiture of bail, bond, or other security deposited to secure appearance." The current version of the comparable provision of the UVC (Section 6-204 (c)) reads:

> the term 'conviction' shall mean that the court of original jurisdiction has made an adjudication of guilt. Also for the purposes of this chapter an unvacated forfeiture of bail or collateral deposited to secure a defendants appearance in court, a plea of nolo contendere accepted by the court, the payment of a fine, a plea of guilty or a finding of guilt on a traffic violation charge, shall be equivalent to a conviction regardless of whether the penalty is refuted, suspended or probated.

The UVC definition of "conviction," obviously includes more of the possible outcomes of the issuance of a traffic citation than does the DLC provision which was drafted in 1960. As a result of various legal restraints in the states (and perhaps partly because of an inadequate DLC definition), the meaning of the term "conviction" has made it difficult to implement the Compact's reciprocity concept.

In Arizona a problem concerning the meaning of "conviction" arose, not because of Arizona law, but because of the legal requirements of other states. Arizona thoroughly computerizes its records of convictions by Arizona courts. Accordingly, the most logical mechanism for Arizona to use to report non-resident convictions to the home states is to periodically generate a computer list of out-of-state drivers and their convictions, by state of licensure. These lists may be sent to the appropriate states at intervals throughout the year. When used, however, this practice soon led to complaints from several states that such lists did not meet their legal requirements of a notice of conviction. Therefore, they could not be used as the basis for action against the driver's license. Typically, the courts of the complaining states required the notice to be in the form of a "certificate of conviction" rather than in the form of a listing. In some states there was also the requirement that the judge or court clerk certify the record. Arizona had no such problem with computer lists in its own courts due to a State Supreme Court Rule change which allowed the computer-produced lists to be used as evidence.

The problem of supplying information in a form useable by other states was partially solved when Arizona altered its computer printout to constitute a "certificate of conviction" which may still be machine-produced.

Nevada presents a somewhat different problem regarding conviction notices. Nevada reports convictions to other states in several formats due to the variety of forms used by its local police and courts. Nevertheless, the problem has not been format, but rather whether a failure to appear (FTA) constitutes a "conviction." Forfeiture of bail in Nevada clearly constitutes a "conviction" as provided by state statute. However, like many other western states, Nevada does not require non-residents to post bail for minor violations. Since 80 percent of all Nevada FTA's are non-residents, (it is easy to act against a resident FTA),the question is whether FTA is a conviction of a non-resident driver. In 1977, Nevada's Legislature enacted a statute addressing this problem, but court enforcement and reaction were poor. Accordingly, the statute was repealed, but the issue is expected to be taken up again by the legislature.

In Indiana the legal constraint is of still another variety. Indiana policy is that because one cannot be convicted of a crime in absentia, and because in Indiana traffic offenses are classified as "criminal" in nature, no license action may be taken which is based on treating an FTA as a "conviction." The effect of this rule is minimized, however, by Indiana's policy of continuing to report non-resident FTA's to the licensing state.

PARTY STATES - COMPLIANCE WITH THE PROVISIONS OF THE DLC

There is some variation in the extent to which DLC party states comply with the Compact plan for exchanging and acting upon information. However, the findings in the case study states suggest the level of commitment is relatively high and surprisingly uniform. In all of the four study states which had adopted the DLC (New York, Arizona, Nevada and Indiana), major offenses which were grounds for suspension or revocation of a resident's license also resulted in such action when the offenses occurred in another jurisdiction. Arizona, Indiana and Nevada send to all home license states notices of non-resident convictions, and they feel that they probably receive notices of their residents'convictions in other states in the majority of instances. The AAMVA/NHTSA survey (1980) discovered that all states receive some certifications of conviction and that 28 reported that they receive certificates from all states.

In New York, the DMV sends notices to home states on non-residents' conduct only when the conviction was for a specified major offense (e.g. DWI). Reporting of other non-resident convictions in New York is the responsibility of the courts, but the extent of court compliance is uncertain.

Policy regarding reporting convictions of non-residents for other than major offenses varies among the four DLC states that were the subject of case studies. In Nevada, action is taken on the Nevada license for major offenses committed out-of-state, but not for minor offenses nor for violations of the implied consent laws of other states. All such actions are hand processed, because computer capability is not available to handle out-of-state conviction records. Out-of-state implied consent violations by Nevada licensees are not acted upon because of anticipated legal challenges stemming from the variations among state implied consent laws. New York is like Nevada in that no action (i.e. points deducted) is taken on residents' minor convictions in other states. Indiana and Arizona, on the other hand, handle <u>all</u> out-of-state convictions by their residents as though they had occurred within the home state. In Indiana, the DMV assesses points on the Indiana license in accord with the point schedule of the convicting state if that point schedule is the same as Indiana's. Where the point schedules vary, Indiana sets two points as the assessment for the conviction. Indiana officials report no legal difficulties with treating out-of-state implied consent violations as though they had occurred in Indiana.

NONPARTY STATES - COMPLIANCE WITH THE PROVISIONS OF THE DLC

Even though the DLC party states vary significantly with regard to the extent to which they honor the reciprocity obligation, there is a <u>relatively</u> high commitment on the part of the party states to the concept of reciprocity. This is made apparent by an examination and comparison of the practices in the two study states (Connecticut and New Hampshire) which are not parties to the DLC and which have not enacted relevant parts of the UVC. Connecticut sends reports of convictions of non-residents to the licensing state only when the Connecticut conviction is for an alcohol related offense. Similarly, Connecticut officials disregard notices of convictions of their residents in other states unless those convictions are for alcohol related offenses. In New Hampshire, foreign state notices of residents' out-of-state convictions are not even recorded, and no action is taken on a resident's license unless the other state suspended or revoked his driving privileges.

In the two states studied where the DLC has not been adopted, but where the relevant portions of the UVC are in effect (Georgia and Kentucky), the level of reciprocity compliance is high. Georgia and Kentucky both notify other states of non-residents' convictions, and both act on out-of-state convictions of their residents essentially as if they had occurred within the state. In Georgia, however, suspension will occur only if the out-of-state conviction of the Georgia resident was for a specified major offense.

OVERVIEW OF STATE PARTICIPATION

An overview of the degree to which all states comply with reciprocity obligations provided some insight into the magnitude of the problem. The first of two sources of information was an AAMVA/NHTSA document entitled "Comparative Data and Analysis of State Motor Vehicle Administration (1980)." The second source was a recent CSG survey of state licensing practices.

Table 2, extracted from the AAMVA/NHTSA report, shows the degree to which states forward certificates of convictions and suspension/revocation actions or receive these documents from other states.

TABLE 2

RECIPROCITY - EXCHANGE OF INFORMATION AAMVA/NHTSA SURVEY (1980)

TYPE OF INFORMATION		COMPACT STATUS*	
		COMPACT	NON-COMPACT
Notify home state when you suspend or revoke the driving privilege of an out-of-state driver.	Yes	30/30 (100.0%)	14/20 (70.0%)
	All states	29/30 (96.7%)	13/20 (65.0%)
Receive notification from other states when they suspend/revoke driving privilege of your drivers.	Yes	30/30 (100.0%)	19/20 (95.0%)
	All states	21/30 (70.0%)	7/20 (35.0%)
Forward certificates of conviction to home state of convicted out-of-state drivers.	Yes	28/30 (93.3%)	16/20 (80.0%)
	All states	27/30 (90.0%)	16/20 (80.0%)

* Response tallied is a definite yes. Non-respondents, incomplete data, data not available, etc. were counted as a no.

All of the Compact states notify the home state of suspension/revocation actions, as do 70 percent of the non-compact states. Many of the non-Compact states comply with the provisions of the UVC although they are not parties to the Compact. Similarly, Compact states and most non-Compact states receive notification of suspension/revocation and certificates of convictions. Most states interviewed do not keep records, by state name, of what they receive from other states. Generally the documents are processed as they are received without a formal record keeping procedure. In some cases certificates are received from states that are simply not processed. This weakness in the system could easily be overcome by establishing more formal communication channels.

BEST DOCUMENT AVAILABLE

A recent CSG survey indicates that it is important to note the "type" of certificate of conviction when evaluating the degree of reciprocity compliance. For example, as found in the case study review, Connecticut sends conviction notices to other states for non-residents convicted of alcohol related offenses. Similarly New York sends notices of convictions for alcohol offenses committed by non-residents.

The majority of states notify the home jurisdiction when they suspend or revoke the driving privileges of the out-of-state driver. The AAMVA survey reveals that only Minnesota, North Carolina, and Pennsylvania do not notify the home states.

The following data from the CSG survey enumerate the states receiving certificates from other states by the type of offense.

	NO	YES	NR
Driving while intoxicated.	2 (4%)	41 (82%)	7 (14%)
Other majors - homicide, hit/run, felony, failure to stop.	7 (14%)	36 (72%)	7 (14%)
Failure to appear.	20 (40%)	23 (46%)	7 (14%)
All types of moving.	7 (14%)	36 (72%)	7 (14%)

NR - No response (contacted twice).

While most states exchange information regardless of their Compact status, some states exchange information consistently only with Compact member states. In addition, Compact members tend to report to other states only the four major violations specified in the Compact. Non-party states may report only DWI offenses as ascertained in the case study. Appendix F summarizes the differences by states.

SPECIFIC WEAKNESSES OF THE DLC AND THE DRIVER LICENSE SYSTEM

The information collected for this study established that states vary in the extent to which they employ the one license/one record concept and exchange information with other states. Most states cooperate to some extent regardless of their Compact status. Our case studies and surveys revealed several important issues that relate to effective implementation of the DLC. They are:

1. Uniformity of forms
2. Maintenance of driving record for non-residents
3. Administrative priorities and burdens
4. Computer system
5. Privacy acts
6. Communication

UNIFORM FORMS

Perhaps the most obvious thing which could be done to increase the willingness of states to commit themselves to efficiently implement the reciprocity concept would be for states to use the same forms for reporting information to each other. Such uniform forms would help eliminate many of the administrative difficulties which currently hinder the sharing of and acting upon conviction information by the states. In all states studied, officials were unanimous in their support of the need for uniform information forms. Although uniform forms would result in greater ease of processing, specific problems were mentioned by some officials as being counteractive with regard to the implementation of computerized uniform forms. For example, Arizona officials have in the past experienced difficulties with other states which require conviction reports to be in the form of "conviction records." Uniform forms could conceivably be designed which would lend themselves to production by computer in a fully-automated state such as Arizona and which also would be administratively and legally sufficient in other states. The utility of such uniformity would be potentially even greater if the forms were designed in conjunction with a uniform driver license point system.

MAINTENANCE OF DRIVING RECORDS ON NON-RESIDENTS

Each state possesses the authority to determine the extent to which drivers licensed by other states have the right to drive upon its highways. All states grant non-residents such privileges upon a reciprocal basis. However, the ability of a state to exclude effectively a bad non-resident driver with a valid out-of-state license depends upon that state's maintenance of files relating to non-resident drivers who have lost their reciprocity privilege. Although some states open and attempt to maintain a file on each non-resident conviction, most states only maintain files on a non-resident driver when that driver's reciprocity right to drive has been suspended or revoked by the foreign state. Since driver license number systems vary by states and since the number is vital to accessing information and identifying drivers, states usually assign non-residents a number in accord with the numbering system for resident drivers. More and more frequently the numbering system used for resident and non-resident drivers is the social security number with some sort of special "people number" assigned when the social security number is not available. A standard, uniform number for identifying drivers would help promote the one license/one record concept, since information could be "tied together."

ADMINISTRATIVE PRIORITIES

In the field of driver licensing, administrative functions such as driver licensing control and regulation have been assigned to various state agencies. The agency designated has exclusive statutory authority to issue, suspend, or revoke a driver's license. Most state laws give authority to the administrator to promulgate rules and regulations to accomplish the licensing function.

The activities outlined in the Compact or the UVC are assigned to state agencies such as the Department of Motor Vehicles, the Department of Public Safety, or, in some instances, to state officers such as the Secretary of State or the Registrar of Motor Vehicles.

The case study reviews revealed, as one would expect, that the priorities of functions within the licensing agency are:

1. licensing of original/renewal applicants
2. processing court abstracts and updating driver control records
3. driver improvement actions - hearings, suspension/revocation actions, driver improvement clinics; and finally
4. functions related to interstate exchange of information.

In our review of the licensing agencies, in no case did we find more than one clerk assigned to the reciprocity function, and in most cases this activity was shared with other functions of higher priority. Licenses to be returned often are "batched" and returned to other states once a month. In several cases, out-of-state conviction notices on resident drivers are manually sorted on a low priority. Even though the state may overtly comply with the DLC or the UVC provisions, much information is discarded because of the lack of staff to process it.

In most cases administrators stated that budgetary constraints are the primary reason for their inability to comply with the reciprocity obligation.

Most agencies are under pressure to reduce staff or maintain current staff levels even with increasing work volumes. Therefore, licensing and driver improvement functions may be expected to take precedence over other activities.

COMPUTER SYSTEM

The extent to which the reciprocity function is centralized and the degree to which it is automated affect the degree to which a particular state acts reciprocally. Particular examples might include New York and New Hampshire, where court responsibility for mailing non-resident conviction notices to other states may result in sporadic compliance with reciprocity obligations. For states with highly automated conviction records, the lack of uniformity in procedures and documents can diminish the degree of reciprocal action.

All states interviewed have automated systems for most licensing functions. However, the general lack of adequate systems planning has led to both semi-automated and manual handling of documents. The capability to automate several functions already exists.
Several administrators interviewed cite the following reasons for current processing problems: Lack of or inappropriate software to extract required lists and data (i.e. out-of-state drivers with DWI, resident drivers with out-of-state majors). Part of the problem is the high turn-over of computer programmers who are often lured to higher paying jobs in the private sector. Often programmers leave without completing or fully documentating the program so that they can be modified or expanded. Centralized - time sharing computer system. Several difficulties have arisen for those states which implemented a centralized/time-sharing computer system. Generally, motor vehicle data generation has lower priority in the system than, say, financial/tax revenue requirements. Thus, motor vehicle administrators are recommending decentralization of computer systems.

Compatible computer systems

Rather than manually sorting and physically exchanging abstracts and driver licenses, the ideal approach appears to be the exchange of magnetic tapes. This procedure requires uniform formats and compatible computer systems. Several states now send tapes to NDR and, in some cases, to other states.

THE NATIONAL DRIVER REGISTER

The National Driver Register (NDR) is a voluntary state/federal program established by Congress in 1960. The NDR is an operating element of NHTSA, a component of the U. S. Department of Transportation. The NDR system provides for participating states to enter license denial/withdrawal data and to make inquiries regarding those who apply for either original or renewal licenses. States obtain identifying information from driver license applicants. They then send the identifying information to the NDR where data files are searched through a computer to obtain a match using name and date of birth as primary identification items. If a match is made it is termed a "probable identification." In most cases the probable identification indicates a license suspension/revocation in the applicant's home state. A "report of inquiry searched" is returned to the inquiry state. The report is used for "refusal, withdrawal, termination, cancellation, suspension/revocation and ... driver improvement or sentencing."

The case studies showed dissatisfaction with several aspects of the National Driver Register program. All of the states studied input records and access the NDR. Taking action upon identification is difficult, however, because of the post-facto nature of the NDR system. By the time the notice of current suspension or revocation is received from NDR, the new license has already been issued. It is then quite difficult to physically obtain the license. Legal requirements for a hearing prior to cancellation may also serve to delay withdrawal of the license. One solution would be instant access to NDR which would make it possible to check the Register prior to license issuance. Another solution would be to issue temporary licenses timed to expire when the NDR information would be expected to be received. However, this approach permits fraudulent applications and misuse of drivers licenses (Driver License Applicant Identification and Licensing System Security, 1979), since temporary licenses are also difficult to physically obtain. Recommendations for improving the NDR center around the need for uniform forms and compatible computer systems. For licensing purposes the NDR or some similar system could be made more effective by on-line terminals so state input and queries can be transacted in short periods of time. Other recommendations include a pointer/index where an inquiry is directed to the location of the revoked driver. All of these recommendations require cooperation of the states in providing accessible computer systems.

PRIVACY ACTS

The AAMVA report (AAMVA, 1980) states that twenty percent of the states have only a privacy law; thirty one percent have only a freedom of information law; twenty nine percent have both laws; sixteen percent have neither law. With the exception of Massachusetts and Maine, our review found that a privacy act does not affect the exchange of information between governmental agencies for licensing purposes. Massachusetts and Maine will not reveal the reasons for suspension or revocation of their drivers.

According to a recent report on the National Driver Register (Nathanson, July, 1979)

> The Massachusetts privacy restrictions appear to be based not on a motor vehicle code but on a general criminal code which states: "Criminal offender record information shall be disseminated, whether directly or through any intermediary, only to (a) criminal justice agencies, and (b) such other individuals and agencies as are authorized access to such records by the statute." NHTSA should work toward a Massachusetts legislative amendment which would also authorize access to this information for driver licensing officials.

Research of statutes of twenty five (25) states on a random basis concluded (CSG, State Privacy Act Memorandum, October 22, 1980)[5] that state privacy statutes do not conflict with the reporting provisions of the Driver License Compact or the Uniform Vehicle Code.

COMMUNICATION

Meetings with the consultant/panelists, state officials and non-governmental licensing interest groups such as AAA, Highway Users Federation, International Chiefs of Police,and AAMVA did not reveal any significant resistance to the DLC. For the most part, the lack of full implementation and participation appears to stem from failure to communicate goals and objectives to state administrators. In some cases newly appointed state administrators were not aware of the provisions of the DLC. Others did not know whether their states parties. Some were interested but did not know how to become parties. Still others were aware of the Compact but felt that certain state statutes would preclude them from participating.

[5] Due to the length of this memorandum it is not published. It is available upon request at The Council of State Governments.

Responses to the question of "what would make the DLC more acceptable to states" (AAMVA Workshop, February 23-28, 1981) suggest that uniformity is a key concern. Comments given more than once at this workshop are listed below.

Selected comments from different state officials on what would enhance the acceptability of the DLC.

- uniformity in penalties for traffic violations
- compatibility between state laws
- improved communication/coordination of compact provisions
- more timely response on record inquiries
- defining punishment and streamlining communications
- uniform license requirement
- uniform format for record exchange
- more uniform laws
- uniform point system
- uniform definition of conviction

Overall, interaction with state officials, panel members, consultants, and different interest groups confirmed a definite need to establish a more formalized means of communicating and correcting specific impediments to the one license/one record concept. Although the specific language of the DLC might be modified to make it acceptable to more states, the primary issue is the establishment of a mechanism to:

- communicate the objectives of the DLC to all states
- encourage states to develop uniform procedures in driver licensing (forms, statutes, computer system, sentencing, point system, residency definition, etc.)
- arbitrate and coordinate any differences among states
- develop incentives for state participation.

Recommendations for a mechanism to meet the above needs are discussed in Chapter 4.

Chapter 4

CONCLUSIONS AND RECOMMENDATIONS

A primary conclusion of this study is the need to improve communication and coordination among the states. To varying degrees the Compact states comply with its provisions, and, at least in spirit, they support the one license concept. Similarly, non-Compact states tend to meet some of the requirements, particularly those states that have adopted most of the UVC provisions.

A consistent finding was the appeal for statutory and administrative uniformity among states. Anticipated results of uniformity would be reduced costs, more rapid record search, more accurate and comprehensive driver records, and, finally, increased ability to comply with the provisions of the Compact.

The investigation did not reveal any significant conceptual resistance to the compact. This conclusion is based on a mailing to all states, discussion with state administrators on the technical panel, and interaction with motor vehicle administrators at the AAMVA workshop in Nashville. In fact, a resolution to establish an active Compact Secretariat was adopted by the participants of the AAMVA workshop.

It is the view of the project staff that the success of the DLC lies more in the establishment of an authority to coordinate interstate activities than in specific revisions of the Compact. Provisions for this authority should be made explicit within the language of the Compact.

A review of other compacts led to the recommended Compact language changes to provide for this authority. (See Appendix C).

STRUCTURE AND AUTHORITY OF A PROPOSED COMPACT COMMISSION

The following comments are based on interviews with consultants, panel members, interest groups and reaction by the states to certain questionnaire items. However, the recommendations represent the views of the study staff and do not necessarily reflect those of any others.

RECOMMENDED STRUCTURE

It is recommended that the specific structure and functions of the Compact commission draw upon previous compacts to devise a workable authority appointed by the member states. One example of such a commission is found in the Vehicle Equipment Safety Compact Commission. Article III of this compact requires that each party state have one commissioner who shall be appointed to serve in what might be called a general assembly of the compact states.

Based on our review of the literature and interaction with state officials, we feel that the commission authority and functions should be:

- limited to specific interstate problems
- concerned only with general principles of the one license/ one record concept
- concerned with the development of procedures for interstate decision-making
- concerned with a review of specific statutes but could not significantly invalidate or nullify current state licensing laws without state consent
- to arbitrate and determine disputes that occur between states for non-compliance because of statutory variations
- to promote uniformity of laws and administrative practices
- to provide a means for the encouragement and utilization of research
- to provide a uniform set of policys and procedures for implementing the compact which party states will be pledged to adopt.

FINANCE

It is recommended that the financial requirements for the commission be relatively small and subject to available funding. The commission should be allowed to enter into agreements with other organizations so that such organizations may provide staff or other assistance to the commission.

Funding might come from the member states. Current budgetary restraints, however, do not make significant state funding appear likely. When available, federal grants might be sought to support

commission functions. The specific structural details and functions are a matter for determination by member states and are beyond the scope of this project.

SHORT AND LONG TERM SOLUTIONS

SHORT TERM SOLUTIONS

All short term solutions involve cooperation and coordination within the existing system. The study staff believes much could be accomplished by a Compact commission by simply communicating what the states are doing, by serving as a clearinghouse to identify specific problems, and by encouraging states to comply with Compact responsibilities.

Long term recommendations assume continued cooperation and coordination but focus on a mechanism to implement the one license concept through the establishment of one record. Compatible computer systems monitored by the states and patterned after the NDR would accomplish this goal. Similar to the study recommendation for the NDR would be a system of "pointers" directing inquiries to a state(s) where an individual was previously licensed.

Most weaknesses in the area of exchange of information and home state actions can be overcome by improved communication and coordination. By issuing bulletins and making recommendations for compliance the Compact commission or secretariat should achieve good results. Many states do not know if the information they send is ever used, and in some cases it is not used.

LONG TERM SOLUTIONS

Long term recommendations are centered primarily around the need for a compatible centralized computer system.

The NDR or similar system operated by the states appears to be one important resource for states to use to comply with the one license concept of the Compact. Prior to the establishment of the NDR, it was extremely difficult and expensive for a state to check with all other states to determine if the applicant had a suspended or revoked license. Theoretically, the NDR provides a centralized procedure for doing so. Although there are several difficulties with the NDR, proposed improvements should make it a much more effective tool for driver licensing/improvement. NHTSA recently submitted a report to the Congress recommending that the present index type system be converted to a "pointer" type file. Substantive data would be maintained by the states and would be retrieved from the state of record in an on-line mode.

ONE LICENSE/ONE RECORD CORRECTIVE ACTIONS

Weaknesses - One License Concept	Short Term	Long Term
• require surrender of driver license	Compact commissioner notify state of non-compliance and Compact commission provide recommendation on uniform procedures	not required if one record
• notify home state of surrender of license		streamline computer system
• home state fails to update system in a timely manner	Compact commission to notify state of time lag	compatible computer system. low cost/ timely central system would reduce costs and workload
• thoroughly check other states records or limit check to Compact states	Compact commission to encourage other states to join and encourage compliance	central computer system
• must depend on truthfulness of applicant		central computer system
• partial state participation		

• lack of uniform laws on residency	encourage all states to participate by coordination, bulletin, etc.	---
• classified license system	encourage uniform definition	
	encourage states to adopt uniform system based on vehicle type rather than employment status	recommend changes be placed under administrative rule making

EXCHANGE OF INFORMATION AND HOME STATE ACTIONS

Weaknesses, Information Exchange and Home Action	Short Term	Long Term
• Type of offenses in DLC outdated, have low safety correlation	Compact commission to review and recommend more serious relevant offenses	Administration rules/statute change
• Meaning of conviction not uniform	Compact commission to review statute, develop uniform definition acceptable to states	"
• States action inconsistent based on type of offenses	Compact commission to review states laws, procedures and encourage uniform application	"
• Point systems vary by states	Compact commission to review and encourage states to apply uniform point system	"
• Uniform procedures for exchange of information	Compact commission to inform states uniform requirement and encourage compliance, maintain uniform record system	Central computer system - format, data, criteria
• Uniform record system for non-residents	Reduce costs through uniformity i.e. magnetic tape exchange	Central computer system
• Administrative priorities	Develop incentives	
• Privacy acts	Relatively insignificant problem - encourage states through statute to exclude D/R	

Recommendations for improving the NDR are contained in a recent report entitled "Study of Selected States," 1979. This study provides an indepth description of the system and contains recommendations for overcoming many of the problems identified by the CSG survey and case study review.

The NDR or some similar centralized record system could be coordinated by the proposed Compact commission. Compatible computer systems and software, improved quality of input/output data, and optimum utilization would be brought about by commission interaction with the states.

INCENTIVES FOR ESTABLISHING AN EFFECTIVE DLC

The direct benefits derived from effective implementation of the DLC may appear to be somewhat illusive when compared with other compacts. For example, the Non-Resident Violator Compact provides at least four distinct benefits:

1. thousands of hours of off the highway law enforcement become available for service

2. increased collection of fines (over 1 million dollars)

3. reduced judge or magistrate time because mail is used for settling most cases

4. savings in citizens lost time, inconvenience, related costs and increased goodwill.

However, if an effective Compact were developed to overcome many of the weaknesses cited in this report several advantages can be realized. For example, a centralized system could lead to fewer delays for the public. Uniform statutes and administrative rules could result in more equitable treatment of the driving public. Safety objectives could be realized by better identification of errant drivers and by directing problem drivers to driver improvement programs. In particular, problem commercial drivers would no longer escape detection by use of multiple licenses. Motor carriers would be better able to select drivers with safe driving histories.

All of these factors indirectly relate to monetary benefits. However, it is recommended that the Compact commission develop positive incentives to encourage the states to comply fully with the one-license concept and their duty to exchange information.

CONCLUSIONS

Although development of a revised Compact is a positive step, it would require a major commitment from the states and would be time consuming. More immediate steps are needed to overcome system weaknesses and to help states move toward the one license concept.

Concurrent with the recommendation that states adopt a revised DLC, it is recommended that system weaknesses be approached in three steps:

1. Establish a Compact commission to assist the states. It would provide support functions and would also serve as a focal point for information exchange. It is recommended that the AAMVA organize the commission or secretariat because of its experience with the Compact and its interaction with the states.

2. Within the context of AAMVA Regional Meetings -

   - develop strategy, solicit support from states to participate in commission activities
   - obtain input on proposed structure, authority and functions of the commission and vote on proposals
   - identify monetary resources for support of the commission
   - identify incentives for state participation

3. Research should be carried out to determine appropriate recommendations for:

   - uniform forms
   - uniform definitions
   - optimum computer systems
   - classified license systems
   - point system
   - other relevent issues

The climate appears to be right for making significant improvements in the DLC system. The CSG staff interactions with panel members, interest groups, and state officials have demonstrated a genuine interest in improving the system.

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APPENDICES

APPENDIX A - CITIZENS' RIGHTS TO BRING SUIT AGAINST STATE AUTHORITIES, October, 1980

Issues: 1. What is the ability of a private citizen to bring suit against state authorities after an accident in which he is injured under the provisions of the Driver License Compact or Uniform Vehicle Code?

2. What is the ability of a private citizen to bring suit in the form of a mandamus action to force a state official to comply and enforce the provisions of the Act when there is a violation without injury directly to the plaintiff, or a history of non-enforcement?

Issue Number 1:

Discussion

States have always stood in a favored position in regard to the filing of lawsuits against them. Even though lesser governmental bodies such as municipal corporations have enjoyed immunity only when engaging in their governmental, ministerial functions, many courts have held that state immunity serves as a blanket keeping away all litigation unless by express consent of state authorities. 57 Am. Jur. 2d Municipal, Etc. Tort liability Sect. 42, 43, 44 and 62 A.L.R. 2d 1222. These theories have had as their basis that the state's only mode of operation is sovereign in nature and that the sovereign should not be pulled from the business at hand by numerous instances of litigation.

Later cases have seen the erosion of this principle with a dichotomy arising between governmental, ministerial functions and those which are proprietary. Only those cases which fit into the latter category have had much success. For instance, see Smith v. State, 473 P2d 937 (id. 1970) where a flagman left his post unguarded causing several cars to tumble down an embankment causing injury to the occupants. The suit was allowed under those circumstances.

As the courts moved from total immunity to a theory of partial immunity, they were aided by more and more state legislatures drawing up strict guidelines permitting suits in specified instances. These statutes eliminate much of the guesswork over what is ministerial and what is proprietary in nature. 81A C.J.S. States sec. 197. The earlier theory that the state was the sovereign or the embodiment of the people gave way to the modern notion that governmental bodies stand as entities separate from the populace. As a separate creature, the state commits torts and should bear responsibility for compensating those it injures just as private persons do.

The state legislature is permitted to waive state governmental immunity and prescribe conditions of recovery. When such a waiver exists, the intent of the statute must be clearly and unambiguously stated. A further requirement is that the lifting of immunity must be in a furtherance of some public purpose. (Id. 197). Such a statutory waiver merely removes a bar to liability and does not create liability where none exists. In addition the state must have some duty or obligation to perform the duty under which it is claimed the state is derelict. The statutes are to be given a liberal construction in favor of claimants.

The principal variables affecting a lawsuit against a state by a private citizen are therefore whether the action is based on a proprietary function that could as easily be performed by a private non-governmental entity or whether a statute (commonly termed a Tort Claims Act) has been enacted prescribing the instances under which the state will be liable in its governmental/proprietary functions. In both instances the state must possess a clear duty and obligation to act in a certain manner and there must have been a failure to so act in the particular instance involved.

The Driver License Compact and Uniform Vehicle Code represent in their respective states of adoption a policy on the part of the legislatures to maintain the safety of streets and highways. Clearly, what is involved here are acts representing governmental prerogatives and therefore ministerial functions. Because the Driver License Compact and the Uniform Vehicle Code represent an exercise of a governmental function it would seem virtually impossible to sue for their enforcement unless the state enacting either the Compact or the Code has a statute specifically abolishing immunity in these situations.

If such a statute exists in the jurisdictions enacting the Driver License Compact it would seem clear that a lawsuit could be maintained against the state failing in its duty if proximate cause, etc. can be shown. A lawsuit under the Uniform Vehicle Code would be similarly possible depending upon the language used.

In Article III of the Driver License Compact it is stated that "The licensing authority of a party state shall report each conviction ..." Likewise in Article IV it is stated that "The licensing authority in the home state, for the purposes of suspension, revocation, or limitation of the license to operate a motor vehicle, shall give the same effect to the conduct reported ..." On the other hand, the Uniform Vehicle Code as drafted prior to 1971 revision, stated that "the department is further authorized ... to forward a certified copy of such record" in section 6-202 and in section 6-203 that the "department is authorized to suspend or revoke the license ..." Since 1971 revisions, there is no such difference between the UVC and DLC.

In at least one California case whether the language of the statute is mandatory or discretionary determines the ability of a citizen to maintain suit under the California Tort Claims Act. In Elson v. Public Utilities Commission, 51 Cal. App 3d 577 (2nd Dist, 3d div 1975) a citizen brought suit against the Public Utilities Commission due to their negligent failure to revoke the operating authority of a passenger bus corporation for not carrying liability insurance. A bus had been involved in an accident with plaintiff.

The California Tort Claims Act contains two relevant provisions, the first of which states that when a public entity is under a mandatory duty by an enactment designed to protect against a particular kind of injury, the state is liable unless the entity can show reasonable diligence in the pursuance of its duty. The other provision stated that the public entity was not liable for failure to revoke, deny, or suspend a license where the entity is given the power to decide who should receive the license. The problem was to reconcile the cases which in the end turned on the duty imposed on the Public Utilities Commission by the act dealing with revocation of licenses.

The California Public Utilities Code stated that the "Commission shall (emphasis added) see that the provisions of statutes affecting public utilities are enforced." The Commission was authorized to make rules and do all that was necessary to carry out the jurisdiction conferred upon it. The court concluded a mandatory duty and upheld the citizen's right to maintain suit and thus distinguished the latter statute which did not deal with a mandatory duty.

It would seem that in the case of the Driver License Compact or current UVC language where the jurisdiction in question has enacted a Tort Claims Act with similar language to the California Act, suit may be maintained if proximate causation can be found.

In Chikofsky v. State, 117 NYS 2d 264 (NY Ct. Cl 1962) the problem of proximate causation is taken up. In that case involving injuries arising out of an automobile collision, plaintiff sued on the theory that though the violator's license had been suspended, the state had not actually and physically taken the license, thus in effect allowing the tortfeasor to be driving on the highways. The court's holding seems grounded in the older theories that the state has absolute immunity in that it states that the state cannot be held liable for its omission to perform a public duty. Perhaps more importantly (since this is a relatively early case), for cases dealing with the Driver License Compact, the court pointed out in dicta that

> It cannot be said that the failure of the state to physically seize Groasso's license and registration would have prevented him from operating a motor vehicle on the public highway. (117 NYS 2d 264)

The same argument can be made in a lawsuit against the state based on the Driver License Compact and/or Uniform Vehicle Code. It may prove difficult to hold the state responsible due to its failure to forward notice or revoke a license. It may simply be that the accident would have occurred in any event.

Conclusion

In the final analysis, though no specific law can be found, it would seem that suit could be maintained under the Driver License Compact if proximate causation can be found and if the state's common law permits such a suit or a Tort Claims Act has been enacted. Under the Driver License Compact, the State is under a mandatory duty to act and can thus be called to answer if this duty is not carried out. The same analysis applies to the UVC if the most recent language is used.

Issue II:

Discussion

> The prevailing view is that where the question is one of public right and the object of the mandamus is to procure the enforcement of a public duty, the relator need not show that he has any legal or special interest in the result or any exclusive right or interest to be protected, but it is sufficient that he is interested as a citizen or taxpayer in having the laws executed and the duty in question enforced. 52 Am Jur 2d Mandamus § 390.

This provision, contained in Am. Jur 2d states the general rule as to the use of mandamus to compel a governmental official to act. To allay fears of any deluge of lawsuits, the courts have pointed to the natural obstacles presented by the general indifference of the populace to public omissions and encroachments, fear of the expense of maintaining suit, and the court's discretion in these matters.

As with a private cause of action, it must be established that the public official against whom the suit is brought has a duty to perform in a certain manner and that it is within his power to act if the writ is issued against him. Beene v. Hutto, 96 SW 2d 485 (Ark. 1936) 52 Am Jur 2d Mandamus § 166. In addition, a mandamus action may only compel performance from an individual and may not be directed against the state in general. McDilda v. Lankford, 102 SE 2d 40 (Ga. 1958).

As with private suits against a governmental body, a mandamus cannot compel an official to use his discretion in a certain manner. 52 Am Jur 2d Mandamus § 77. A writ of mandamus may issue to move an official to action and to thus exercise his discretion. The official may not be compelled to exercise discretion in one direction or the other. When there has been doubt regarding the use of the writ in this manner, the writ has been denied.

More specifically, mandamus lies to compel the performance of ministerial acts in the making and enforcing of police ordinances and regulations. 52 Am Jur 2d Mandamus § 168. Since the Driver License Compact and Uniform Vehicle Code are both expressions of the police power, they would seem to fall into this category though no specific law can be found on this point. The most important issue to determine is whether the act to be compelled is one within the official's power.

In Blankenship v. Michalski, 318 P2d 727 (Cal. 1st DCA 1957) a writ was sought to compel a county attorney to commence abatement proceedings against violators of the city zoning ordinance. One question the court considered before denying the writ was whether the duty of the county attorney was discretionary or mandatory. The court concluded that the county attorney had properly exercised his duty under the statute. He concluded that the ordinance had not been violated. Again, the official was under a mandatory duty to act through his discretion under that duty may not be controlled by mandamus.

Though no specific law can be found on this subject, these generalities on the use of mandamus may easily be used in the context of at least the Driver License Compact. Due to the mandatory language contained in Articles III and IV of the Driver License Compact, a citizen certainly has an interest, both public and private, in seeing that the highways are safe and that laws relating to such safety are enforced.

It must be noted, however, in some jurisdictions, that a private citizen with no greater interest than that of his fellows must look to law officers of the state for his remedy and is not permitted to bring suit himself. 52 Am Jur 2d Mandamus § 390. See for instance Skilton v. Miller, 128 NE 2d 47 in which it was held that an individual's interest as a citizen in having the laws enforced is not sufficient foundation for a writ of mandamus. For a private citizen to be entitled to a writ of mandamus, he must have some private or special interest to be served independent of that which he holds in common with the public at large.

Conclusion

All in all, the law on the use of mandamus seems tied closely to the common law in each jurisdiction. In some cases, it is perfectly permissible for a citizen to compel performance of a mandatory duty and in others suit must be initiated by the attorney general or other law officer of the state.

APPENDIX B

The DLC as Contrasted to the Uniform Vehicle Code (UVC)

Compact v. Agreement

An interstate compact, such as the DLC, is specifically provided for in the U. S. Constitution as an instrument for the establishment of permanent arrangements among the states. A Compact is not only a state statute in each party jurisdiction, but also a contract between states subject to the Constitutional regulation of contracts. Therefore, when a state adopts a Compact it is forbidden to impair the obligation of the contract or unilaterally renounce the interstate compact except as agreed to by the party states.

As contracts, interstate compacts take precedence over state law thereby establishing themselves as the preeminent authority in the states for intergovernmental cooperation.

Interstate compacts have the additional unique characteristic of being inherently and truly uniform as opposed to "uniform" laws and codes. States may, and often do vary the provisions of "uniform" or "model" laws prior to enactment. Compacts, on the other hand, require as part of their nature as contracts as well as statutes, that an enacting state approve the compact in its entirety without any significant variation. The enacting statute itself may vary, but the terms of the compact which it enacts cannot. It should also be noted that state courts are usually the final arbiter of "uniform" laws because they are ultimately only state statutes. Federal courts enjoy responsibility for the enforcement of compacts because of their nature as contracts among states. Thus the lack of case law uniformity which might happen under "uniform" laws is less likely to occur with compacts.

The primary difference between the UVC and DLC was eliminated in 1971 when the words "required" and "shall" were substituted for "authorized" in UVC Sections 6-202 (b) and 6-203 (a) respectively. This action eliminated some of the discretion in the UVC document but of course did not force the states to adopt these new provisions. The upshot of this action is that the revised UVC now contains whatever "rigidity" is found in the compact. A summary of state conformance to the UVC or relevant reciprocity/one license provisions is found in Appendix D.

Other major differences include: 1) the definition of "state" in the UVC includes the Canadian provinces, 2) the code has no definition of a person's "home state". The DLC defines "home state" as that jurisdiction that (a) has issued a person a license, and, (b) has the power to suspend or revoke it, 3) the UVC definition of "conviction" spells out more of the various pleas and procedures that constitute a conviction as the result of a traffic violation, 4) the UVC incorporates

an implied consent provision while the DLC does not accept this as a conviction, 5) the language in the DLC contemplates reporting only among party states while the UVC would apply to all non-residents, and 6) the compact contemplates preparing a separate report of the conviction, while the UVC refers to sending a certified copy of the department's record.

(For a more detailed comparison of the UVC and DLC see Appendix C.)

Perceptions of Relative Merit of the DLC and UVC

Critics of the Driver License Compact most frequently base their dissatisfaction on what is perceived as the higher relative value of basing reciprocity policy in the states on the relevant provisions of the Uniform Vehicle Code. Although no group such as the National Committee on Uniform Traffic Laws and Ordinances has undertaken to defend the DLC, some pro-DLC arguments may be made. Arguments frequently cited for the UVC as opposed to the DLC may be categorized as follows:

1. The Compact is too rigid. Some critics believe that the DLC is too rigid an approach to the problems in two ways. They have often argued that the DLC is too rigid in that it mandates action against a driver in specified circumstances. Of course, as noted previously, since the 1971 revisions in the UVC, whatever rigidity present in the DLC in this sense may also be found now in the UVC.

The second type of rigidity attributed to the DLC is a result of its nature as a compact. As a result of its inherent formality as the highest form of interstate agreement possible under the Constitution, it is contended, problems arise. These problems are often identified as being the difficulty of enactment and amendment, and resulting lack of flexibility in procedures and ability to change as appropriate. The Driver License Compact is clearly often difficult to enact. It is a statute and as such is a very formal document. It should be noted however, that the UVC is equally a statute and difficult to enact. It is undeniably true, however, that the DLC is uniquely difficult to amend. Although amendments of state general laws are difficult (which accounts for the lack of a true "Uniform" Vehicle Code), amendment by one state of a compact faces far greater challenges. Compacts which initially vary in language from state to state are legally of doubtful validity. In addition, once a state has entered into a compact, legal authority seems to be that no amendment is possible, only withdrawal under the compacts' terms. Based upon the U. S. Supreme Court decision in State ex rel. Dyer v. Sims, 341 U. S. 522 (1951), it is concluded that the Constitutional status as interstate contracts which compacts enjoy make their provisions mandatory upon enacting states and repealable only in accord with the compact terms. As explained by Frederick L. Zimmermann and Mitchell Wendell in The Law and Use of Interstate Compacts,

(The Council of State Governments, Lexington, Kentucky, 1976), "If uniform provisions are embodied in a compact, no state could subsequently destroy this uniformity by unilateral amendment of its own statute except to the extent such variation might be permitted by specific provision of the compact. ...(If the virtue of a uniform measure is to be found in the identity of the law from state to state, the superior stability produced by a compact should be considered," op. cit. p. 43. This difficulty of amendment can thus produce the advantage of insured uniformity. Thus where uniformity is important (and therefore a compact is useful,) the loss of flexibility in adapting to change and improvement in a compact should be sought through periodic revision in the compact terms.

Some critics of the perceived rigidity of the DLC suggest that states be given the authority to develop solutions to such problems through administrative agreements. The comparison here is essentially the same as with a non-compact statute. Whatever uniformity which is ensured by a compact and endangered by a statute is even further placed in doubt by reliance upon relatively easily altered and varying administrative agreements.

2. The compact produces contradictory law and policy. As noted before, the DLC, where is applies, is superior to ordinary state statutes. Of course, it only applies to interstate situations which UVC and general statute provisions in the states apply to incidents without an interstate character. It is true that this may create differences between the treatment afforded different drivers under similar circumstances. Since UVC provisions and DLC provisions are virtually identical,however, it is difficult to see how drivers could be treated discriminatorily by the compact if all states had enacted either the DLC, UVC, or both. Since interstate related offenses are an easily differentiated class of offenses, it does not seem partially confusing or difficult to identify those incidents in which the compact applies.

3. Several provisions of the UVC are clearly superior to the DLC. Several differences between the DLC and UVC texts have already been discussed. They have been well developed in The Driver License Compact and the Uniform Vehicle Code, by The National Committee on Uniform Traffic Laws and Ordinances, (Washington, D.C. 1970). Such provisions include the definition of "conviction" and participation by Canada. These inadequacies of the DLC need to be addressed and are in the proposed revision prepared by this project. They represent new ideas and experiences since the compact was drafted in 1960 and warrant inclusion in the DLC. Such a revision, rather than abandonment, would be the proper course of action if it is otherwise concluded that a compact offers unique advantages worth maintaining.

4. State civil liability for failure to enforce its DLC. It has been suggested that party states may be civilly liable for violating their own laws when issuing licenses or failing to take action in violation of the DLC. "Piercing the Driver License Veil," (A. R. Hricko, 1979). This issue is discussed in Appendix A and of course is equally applicable under either the UVC or DLC since both mandate certain actions by state officials.

In comparing the UVC and DLC, it is very important not to view them as mutually exclusive instruments. The purposes of the two instruments are certainly different, with the UVC encompassing broader coverage and being uninjured by variations to fit particular state circumstances. As regards the particular set of offenses with an interstate character, however, the DLC may offer unique advantages. Although it is contended that a distinct policy for interstate problems may offer disadvantages, many states do have both the UVC and DLC and little specific difficulty steming directly from that fact has been identified by this project.

In contrast, uniform laws such as the UVC can be impaired by the unilateral action of particular state legislatures. Varying compliance with the UVC is testimony to this fact. A good example is in the state of Kentucky where the UVC provisions were amended so as not to include out-of-state speeding offenses.

In summary, a compact is a good method to use for interstate cooperation because:

1. it has superior stability to uniform laws in that it cannot unilaterally be amended or abridged;

2. a compact makes possible a single delegation of powers and fixing of standards by a single law rather than parallel laws;

3. a compact, as a contract authorized under the Constitution (U. S. Constitution, Article 1, Section 10) takes precedence over state statutes thereby negating the need for code revisions.

APPENDIX C

The Revised DLC

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
Article 1 - Findings and Declaration of Policy (a) The party states find that: (1) The safety of their streets and highways is materially affected by the degree of compliance with state and local ordinances relating to the operation of motor vehicles. (2) Violation of such a law or ordinance is evidence that the violator engages in conduct which is likely to endanger the safety of persons and property. (3) The continuance in force of a license to drive is predicated upon compliance with laws and ordinances relating to the operation of motor vehicles, in whichever jurisdiction the vehicle is operated. (b) It is the policy of each of the party states to: (1) Promote compliance with the laws,ordinances and administrative rules and regulations relating to the operation of motor vehicles by their operators in each of the jurisdictions where such operators drive motor vehicles. (2) Make the reciprocal recognition of licenses to drive and eligibility therefor more just and equitable by considering the overall compliance with motor vehicle laws, ordinances and administrative rules and regulations as a condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party states.	APPENDIX C No comparable provision	Add section (b) (3) (3) To provide the means for the encouragement of uniform laws and procedures for the exchange of interstate offender data and the taking of enforcement action on such information.

Comment 1

Although it is impossible to assess the value to interstate cooperation of the Declaration of Policy contained in Article I of the DLC, it does constitute a clear state committment to the concepts of the compact.

A new section (b) (3) would be added to this section in the Revised Driver License Compact in order to clarify the commitment of enacting states to work toward uniformity of policy and procedures.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
Article II - Definitions As used in this Compact: (a) "State" means a state, territory or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico. (b) "Home state" means the state which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.	1-169 - State - A state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of Canada.	Retain Article II in present form.

Comment 2

The DLC and UVC definitions of "state" are identical except for the inclusion in the UVC definition the Canadian provinces. It would be extremely difficult to remedy this problem within the UVC. Although some interstate compacts have allowed joindure by Canadian provinces (The Northeastern Forest Fire Protection Compact, for example), such use is rare. It would seem that since the Beamer Resolution consented to agreements among states, that broadening the long range of the DLC to embrace provinces of Canada would require specific Congressional approval to be valid.

It should be remembered however, that adoption of the compact by a state does not prevent that state from cooperating with Canadian provinces nor does it prevent the state from also enacting the language of 1-169 of the UVC. The UVC provision could then cover relations with provinces of Canada.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
(c) "Conviction" means a conviction of any offense related to the use or operation of a motor vehicle which is prohibited by state law, municipal ordinance or administrative rule or regulation, or a forfeiture of bail, bond or other security deposited to secure appearance by a person charged with having committed any such offense, and which conviction or forfeiture is required to be reported to the licensing authority.	6-204 - When court to forward license to department and report convictions (a) Whenever any person is convicted of any offense for which this act makes mandatory the revocation of the license of such person by the department, the court in which such conviction is had shall require the surrender to it of any driver's license then held by the person so convicted and the court shall there-upon forward the same together with a record of such conviction to the department. (b) Every court having jurisdiction over offenses committed under this act, or any other act of this State or municipal ordinance adopted by a local authority regulating the operation of motor vehicles on highways, shall forward to the department within 10 days a record of the conviction of any person in said court for a violation of any said laws other than regulations governing standing or parking, and may recommend the suspension of the driver's license of the person so convicted. The court shall also report to the department any conviction of a person for violating 16-219, any violation of a person's written promise to appear given to an officer upon the issuance of a traffic citation, and any failure to appear in court at the time specified by the court. (c) For purposes of this chapter, the term "conviction" shall mean that the court of original jurisdiction has made an adjudication of guilt. Also, for the purposes of this chapter an unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, a plea of nolo contendere accepted by the court, the payment of a fine, a plea of guilty or a finding of guilt on a traffic violation charge, shall be equivalent to a conviction, regardless of whether the penalty is rebated, suspended or probated.	Retain Section (c) in its present form.

BEST DOCUMENT AVAILABLE

Revised Drivers License Compact

Article III - The Commission

(a) There is hereby created an agency of the party states to be known as the "Interstate Driver License Compact Commission: hereinafter called the Commission. The Commission shall be composed of one commissioner from each party state who shall be appointed, serve and be subject to removal in accordance with the laws of the state which he represents. If authorized by the laws of his party state, a commissioner may provide for the discharge of his duties and the performance of his functions on the Commission, either for the duration of his membership or for any lesser period of time, by an alternate. No such alternate shall be entitled to serve unless notification of his identity and appointment shall have been given to the Commission in such forms as the Commission may require.

(b) The commissioners shall be entitled to one vote each on the Commission. No action of the Commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the Commission are cast in favor thereof. Action of the Commission shall be only at a meeting at which a majority of the commissioners, or their alternates, are present.

(c) The Commission shall have a seal.

(d) The Commission shall elect annually, from amont its members, a chairman, a vice chairman a secretary, and a treasurer. For the purpose of electing said officers and transacting other necessary business, the Commission shall meet at least annually at a time and place to be selected by the chairman. Additional meetings may be called by the chairman as he deems necessary. The chairman is also empowered to appoint such committees from among the commissioners as he may deem necessary, with such committees to report to the full commission.

(e) The Commission shall have the authority to provide for staff as appropriate, and shall be empowered to enter into agreements with any agency or organization whereby such agency or organization shall provide staff or other assistance to the commission.

(f) The Commission may borrow, accept or contract for the services of personnel from any party state, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party states or their subdivisions.

(g) The Commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state, the United States or any other governmental agency and may receive, utilize and dispose of the same.

(h) The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

(i) The Commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The Commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states. The bylaws shall provide for appropriate notice to the commissioners of all Commission meetings and hearings and the business to be transacted at such meetings or hearings. Such notice shall also be given to such agencies or officers of each party state as the laws of such party state may provide.

(j) The Commission annually shall make to the governor and legislature of each party state a report covering the activities of the Commission for the preceding year, and embodying such recommendations as may have been issued by the Commission. The Commission may make such additional reports as it may deem desirable.

Revised Drivers License Compact

Article IV Research and Testing

The Commission shall have power to:

(a) Collect, correlate, analyze and evaluate information resulting or derivable from research activities in relevant driver licensing, licensing system, and computer hardware software systems.

(b) Recommend and encourage the undertaking of research and testing in any aspect of driver licensing/driver control matters when, in its judgment, appropriate or sufficient research or testing has not been undertaken.

(c) Contract for such research and testing as one or more governmental agencies may agree to have contracted for by the Commission, provided that such governmental agency or agencies shall make available the funds necessary for such research and testing.

(d) Recommend to the party states changes in law or policy with emphasis on uniformity of laws and administrative rules, regulations or codes which would promote effective governmental action or coordination in interstate driver licensing and information exchange.

Drivers License Compact	Uniform Vehicle Code	Revised Driver License Compact
Article V - Reports of Conviction The licensing authority of a party state shall report each conviction of a person from another party state occurring within its jurisdiction to the licensing authority of the home state of the licensee. Such report shall clearly identify the person convicted; describe the violation specifying the section of the statute, code or ordinance violated; identify the court in which action was taken; indicate whether a plea of guilty or not guilty was entered, or the conviction was a result of the forfeiture of bail, bond or other security; and shall include any special findings made in connection therewith.	6-202 - Suspending privileges of nonresidents; reporting convictions, suspensions and revocations (b) The department is further required, upon receiving a record of the conviction in this State of a non-resident driver of a motor vehicle of any offense, to forward a certified copy of such record to the motor vehicle administrator in the state wherein the person so convicted is a resident.	Change designation to Article V. Retain Article V in its present form.

Comment 3

Although a few states studied by this project reported difficulties with the meaning of the term "conviction" (see page 21 of the report), those difficulties appear to stem from particular state law and court rules rather than from either the definition of "conviction" contained in the DLC or the UVC. No specific problems which might be traced directly to either Article II (c) or 6-204 (c) were identified. Still, it is undeniable that the definitions differ and that the UVC language is broader. Therefore the revised recommended language of the DLC incorporates the most recent UVC definition, while retaining DLC wording which clearly encompasses convictions for local ordinance violations and offenses stemming from violation of an administrative rule.

Comment 4

Prior to 1971, Section 6-202 (b) of the UVC merely authorized rather than required that reports of convictions be sent to licensing states. The compact has mandated such reporting since its inception in 1961. In 1971, the UVC was revised to make such reporting mandatory. Although differences remain between the DLC and UVC language, the differences have not been identified as creating a problem. However, one problem identified by this project might potentially be addressed by this section of the DLC. Article VII (a) of the compact authorizes the compact administrators of the party states, acting jointly, to "formulate all necessary and proper procedures for the exchange of information." Presumably, the problems caused by the lack of uniform forms could be uniquely resolved through adoption of forms by the administrators acting jointly. The approach to the question of the format of the conviction record which is taken by the UVC is to encouraging the sending and acceptance of the departments' record rather than any special certificate of conviction. This provision does not, however, ensure that the "department records" will be of a uniform or even similar format.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
Article VI - Effect of Conviction (a) The licensing authority in the home state, for the purposes of suspension, revocation or limitation of the license to operate a motor vehicle, shall give the same effect to the conduct reported, pursuant to Article III of this Compact, as it would if such conduct has occurred in the home state, in the case of convictions for: (1) Manslaughter or negligent homicide resulting from the operation of a motor vehicle; (2) Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders the driver incapable of safely driving a motor vehicle;	6-203 Revoking or suspending resident's license based upon conduct in another state. (a) The department shall revoke the license of any resident of this State, and may suspend or revoke a nonresidents license, upon receiving notice of his conviction in another state of an offense described in 6-205. 6-206 - Authority of department to suspend or revoke license: (a) The department is hereby authorized to suspend the license of a driver upon a showing by its records or other sufficient evidence that the licensee: 1. Has committed an offense for which mandatory revocation of license is required upon conviction; 2. Has been convicted with such frequency of serious offenses against traffic regulations governing the movement of vehicles as to indicate a disrespect for traffic laws and a disregard for the safety of other persons on the highways; 3. Is an habitually reckless or negligent driver of a motor vehicle, such fact being established by the point system in subsection (b), by a record of accidents, or by other evidence; 4. Is incompetent to drive a motor vehicle; 5. Has permitted an unlawful or fraudulent use of such license; 6. Has violated his written promise to appear given to an officer upon the issuance of a traffic citation in this or any other state or has failed to appear in court in this or any other state at the time specified by the court; 7. Has been convicted of fleeing or attempting to elude a police officer; or 8. Has been convicted of racing on the highways.	Change designation to Article VI. Retain Article VI (a) (c) and (a) (2) in their present form.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
No comparable provision.	(b) For the purpose of identifying habitually reckless or negligent drivers and habitual or frequent violators of traffic regulations governing the movement of vehicles, the department shall adopt regulations establishing a uniform system assigning demerit points for convictions of violations of chapter 11 of this act or of ordinances adopted by local authorities regulating the operation of motor vehicles. The regulations shall include a designated level of point accumulation which so identifies drivers. The department may assess points for convictions in other states of offenses which, if committed in this State, would be grounds for such assessment. Notice of each assessment of points may be given, but notice is required when the point accumulation reaches .... percent of the number at which suspension is authorized. No points shall be assessed for violating a provision of this act or municipal ordinance regulating standing, parking, equipment, size or weight. In case of the conviction of a licensee of two or more traffic violations committed on a single occasion, such licensee shall be assessed points for one offense only and if the offenses involved have different point values, such licensee shall be assessed for the offense having the greater point value. The department is authorized to suspend the license of a driver when his driving record identifies him as an habitually reckless or negligent driver or as an habitual or frequent violator under this subsection. The department may, in accordance with its rule and regulations, order the licensee to attend a group or private driver improvement interview regarding his driving ability and record.	No comparable provision.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
(3) Any felony in the commission of which a motor vehicle is used; (4) Failure to stop and render aid in the event of a motor vehicle accident resulting in the death or personal injury of another. (b) As to other convictions, reported pursuant to Article III, the licensing authority in the home state shall give such effect to the conduct as is provided by the laws of the home state.	6-205 - Mandatory revocation of license by department. 6-206 - Authority of department to suspend or revoke license: (b) For the purpose of identifying habitually reckless or negligent drivers and habitual or frequent violators of traffic regulations governing the movement of vehicles, the department shall adopt regulations establishing a uniform system assigning demerit points for convictions of violations of chapter 11 of this act or of ordinances adopted by local authorities regulating the operation of motor vehicles. The regulations shall include a designated level of point accumulation which so identifies drivers. The department may assess points for convictions in other states of offenses which, if committed in this State, would be grounds for such assessment. Notice of each assessment of points may be given, but notice is required when the point accumulation reaches .... percent of the number at which suspension is authorized. No points shall be assessed for violating a provision of this act or municipal ordinance regulating standing, parking, equipment, size or weight. In case of the conviction of a licensee of two or more traffic violations committed on a single occasion, such licensee shall be assessed points for one offense only and if the offenses involved have different point values, such licensee shall be assessed for the offense having the greater point value. The department is authorized to suspend the license of a driver when his driving record identifies him as an	Retain (3), (4), and (6) in their present form. (c) The Commission by majority vote may expand or modify the type of offense to be included in reciprocal actions.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
Continued from previous page.	habitually reckless or negligent driver or as an habitual or frequent violator under this subsection. The department may, in accordance with its rule and regulations, order the licensee to attend a group or private driver improvement interview regarding his driving ability and record. 6-203 - Revoking or suspending resident's license based upon conduct in another state. (b) The department is authorized to suspend or revoke the license of any resident or nonresident upon receiving notice of the conviction of such person in another State of an offense, other than those described in 6-205, which if committed in this State, would be grounds for suspension or revocation of the license of a driver.	Continued from previous page.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
(c) If the laws of a party state do not provide for offenses or violations denominated or described in precisely the words employed in subdivision (a) of this Article, such party state shall construe the denominations and descriptions appearing in subdivision (a) hereof as being applicable to and identifying those offenses or violations of a substantially similar nature and the laws of such party state shall contain such provisions as may be necessary to ensure that full force and effect is given to this Article.	No comparable provision.	Retain in present form.

Comment 5

DLC on the other hand, requires a conviction prior to action being taken against the license. It should be noted, however, that nothing in the DLC prevents a state from also enacting 6-206 (a) of the UVC.

DLC Article IV (b) requires that a party state given the same effect for residents convictions out-of-state offenses other than those listed as if those offenses had occurred in the licensing state. The UVC (6-206 (b)) allows a state to so treat such offenses, but does not require it. If a state enacted both the UVC and DLC provisions, then the compact provision for mandatory action "as is provided by the laws of this state" would only mean that the state had the discretion granted by the UVC. Given differences of both definition and enforcement of non-major offenses among the states, it is felt that requiring action against drivers convicted out-of-state of minor offenses would be confusing and discourage compact adoption and compliance.

Among the possible amendments to the DLC which were considered here was a provision to include "failure to identify at the scene of an accident " (like 6-205 (s)) in the list of majors requiring action and a provision to include violations of implied consent laws such as 6-205.1 of the UVC. In both instances it appeared that state policies might vary significantly and that such provisions might therefore mitigate against the compact. It should also be remembered that Article IV (b) allows a member state to use its general states to de facto make such offenses part of the mandatory framework if they so desire.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
Article VII Applications for New Licenses Upon application for a license to drive, the licensing authority in a party state shall ascertain whether the applicant has ever held, or is the holder of a license to drive issued by any other party state. The licensing authority in the state where application is made shall not issue a license to drive to the applicant if: (1) The applicant has held such a license, but the same has been suspended by reason, in whole or in part, of a violation and if such suspension period has not terminated. (2) The applicant has held such a license, but the same has been revoked by reason, in whole or in part, of a violation and if such revocation has not terminated, except that after the expiration of one year from the date the license was revoked, such person may make application for a new license if permitted by law. The licensing authority may refuse to issue a license to any such applicant if, after investigation, the licensing authority determines that it will not be safe to grant to such person the privilege of driving a motor vehicle on the public highways.	6-106 - Application for license or instruction permit: (b) Every said application shall state the full name, date and place of birth, sex and residence address of the applicant, and briefly describe the applicant, and shall state whether the applicant has theretofore been licensed as a driver and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal, and such other information as the department may require to determine the applicant's identity, competency and eligibility. 6-103 - Persons not to be licensed: (b) Disqualifications. The department shall not issue any driver's license to, nor renew the driver's license of, any person: 2. Whose license is currently under suspension or revocation in any other state upon grounds which would authorize the suspension or revocation of a license under this act; 7. When the commissioner has good cause to believe that such person by reason of physical or mental disability would not be able to operate a motor vehicle with safety upon the highways.	Change designation to Article VII and retain in present form.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
(3) The applicant is the holder of a license to drive issued by another party state and currently in force unless the applicant surrenders such license.	6-101 Driver must be licensed (c) No person shall receive a driver's license unless and until he surrenders to the department all valid licenses in his possession issued to him by this or any other jurisdiction. All surrendered licenses issued by another jurisdiction shall be returned thereto, together with information that the person is licensed in this State. No person shall be permitted to have more than one valid driver's license at any time.	Retain in present form.

Comment 6

The differences between Article V of the compact and Sections 6-106, 6-103, and 6-101 of the Uniform Vehicle Code essentially parallel many of the differences discussed previously in that the UVC is broader and now mandates action is more circumstances than does the DLC. As in some of the other sections, however, it may not be desirable to broaden the compact to include more of the UVC provisions. It is probably true that the necessity for all enacting states to have the same version of the compact makes it desirable to restrict the compact to coverage of the lowest common denominators - namely provisions upon which all states might be expected to agree. For example, the variety of implied consent laws, point systems and suspension for violations of financial responsibility requirements make coverage of these areas in the compact a potential deterrant to its enactment. Again, it should be remembered that a state enacting the compact may also enact provisions in its statutes as suggested in the UVC and may thus have advantages from both the UVC and DLC. Given that the case studies identified the requirement of the physical return of licenses contained in UVC 6-101 may actually create a difficulty for states. That requirement has also not been added in the revised draft compact.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
Article VIII Applicability of Other Laws Except as expressly required by provisions of this Compact, nothing contained herein shall be construed to affect the right of any party state to apply any of its other laws relating to licenses to drive to any person or circumstance, nor to invalidate or prevent any driver license agreement or other cooperative arrangement between a party state and a non-party state.	6-106 Application for license or instruction permit. (c) Whenever application is received from a person previously licensed in another jurisdiction, the department shall request a copy of such driver's record from such other jurisdiction. When received, the driving record shall become a part of the driver's record in this State with the same force and effect as though entered on the driver's record in this State in the original instance.	Change designation to Article VIII.
Article IX Compact Administrator and Interchange of Information (a) The head of the licensing authority of each party state shall be the administrator of this Compact for his state. The administrators, acting jointly, shall have the power to formulate all necessary and proper procedures for the exchange of information under this Compact. (b) The administrator of each party state shall furnish to the administrator of each other party state any information or documents reasonably necessary to facilitate the administration of this Compact.	6-202 Suspending privileges of non-residents; reporting convictions, suspensions and revocations (b) The department is further required upon receiving a record of the conviction in this State of a nonresident driver of a motor vehicle of any offense, to forward a certified copy of such record to the motor vehicle administrator in the state wherein the person so convicted is a resident.	Change designation to Article IX. Change Article IX (a) to read: (a) The head of the licensing authority of each party state shall be the administrator of this Compact for his state.

Comment

The second sentence of Article IX (a) of the DLC is deleted from the revision because the subject of that sentence is covered in Article X of the Revised Driver License Compact.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
No comparable provision.	No comparable provision.	Article X - Commission Activities (a) The Commission shall make recommendations to the states regarding changes in law, administrative rules, or policy which would promote uniform and effective governmental action in the area of interstate offenders. (b) In the interest of uniformity of interstate offender policy, the Commission may study the need for or desirability of changes in state procedures or policy to maximize the effectiveness of coordinated action and notification in interstate offender cases. As a result of such study, the Commission may publish a report relating to any aspect of its findings. The issuance of such a report shall be a condition precedent to the holding of hearings at the discretion of the Commission after due notice and not less than 60 days after the publication of the report. (c) Following the hearing provided for in subdivision (b) of this Article the Commission may issue rules, regulations or codes embodying procedures or policies which in the opinion of the Commission will aid in coordinated action against interstate offenders. (d) Each party state obligates itself to give due consideration to any and all rules, regulations and codes issued by the Commission and hereby declares its policy and intent to be the promotion of uniformity in the laws of the several party states relating to interstate offenders. (e) The Commission shall send prompt notice of its action in issuing any rule, regulation or code pursuant to this Article to the appropriate motor vehicle agency of each party state and such notice shall contain the complete text of the rule, regulation or code.

(f) If the constitution of a party state requires, or if its statutes provide, the approval of the legislature by appropriate resolution or act may be a condition precedent to the taking effect in such party state of any rule, regulation or code. In such event, the commissioner of such party state shall submit any Commission rule, regulation or code to the legislature as promptly as may be in lieu of administrative acceptance or rejection thereof by the party states.

(g) Except as otherwise specifically provided in or pursuant to subdivisions (f) and (h) of this Article, the appropriate motor vehicle agency of a party state shall in accordance with its constitution or procedural laws adopt the rule, regulation or code within six months of the sending of the notice, and, upon such adoption, the rule, regulation or code shall have the force and effect of law therein.

(h) The appropriate motor vehicle agency of a party state may decline to adopt a rule, regulation or code issued by the Commission pursuant to this Article if such agency specifically finds, after public hearing on due notice, that a variation from the Commission's rule, regulation or code is necessary to the public interest, and incorporates in such findings the reasons upon which it is based. Any such finding shall be subject to review by such procedure for review of administrative determinations as may be applicable pursuant to the laws of the party state. Upon request, the Commission shall be furnished with a copy of the transcript of any hearings held pursuant to this subdivision.

Driver License Compact	Uniform Vehicle Code	Revised Driver License Compact
Article X - Entry into Force and Withdrawal (a) This Compact shall enter into force and become effective as to any state when it has enacted the same into law. (b) Any party state may withdraw from this Compact by enacting a statute repealing the same, but no such withdrawal shall take effect until six months after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states. No withdrawal shall affect the validity or applicability by the licensing authorities of states remaining party to the Compact of any report of conviction occurring prior to the withdrawal.	No comparable provision.	Change designation to Article X.
Article XI - Construction and Severability This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance (is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person or circumstance) shall not be affected thereby. If this Compact shall be held contrary to the constitution of any state party thereto, the Compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.	No comparable provision.	Change designation to Article XI.

APPENDIX D

APPENDIX D

STATE COMPARISON

UNIFORM VEHICLE CODES

1-169 State

A state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of Canada.

6-101 Drivers Must be Licensed

(a) No person, except those hereinafter expressly exempted, shall drive any motor vehicle upon a highway in this State unless such person has a valid driver's license under the provisions of this chapter for the type or class of vehicle being driven.

(b) No person, except those hereinafter expressly exempted, shall steer or, while within the passenger compartment of such vehicle, exercise any degree of physical control of a vehicle being towed by a motor vehicle upon a highway in this State unless such person has a valid driver's license under the provisions of this chapter for the type or class of vehicle being towed.

(c) No person shall receive a driver's license unless and until he surrenders to the department all valid licenses in his possession issued to him by this or any other jurisdiction. All surrendered licenses issued by another jurisdiction shall be returned thereto, together with information that the person is licensed in this State. No person shall be permitted to have more than one valid driver's license at any time.

(d) Any person licensed as a driver hereunder may exercise the privilege thereby granted upon all streets and highways in this State and shall not be required to obtain any other license to exercise such privilege by any county, municipal or local board, or body having authority to adopt local police regulations.

6-103 Persons Not to be Licensed

(a) Minimum age requirements. The department shall not issue any driver's license to any person who is under the age of 18 years, except that:

1. The department may issue a license to any person who is at least 16 years of age and who presents evidence that he has satisfactorily completed a driver education course approved by the (State board of education) or a similar course meeting standards of the department and the (State board of education);
2. The department may issue a restricted license to any person who is at least 15 years of age under § 6-113;
3. The department may issue an instruction permit to any person who is at least 15 years of age under § 6-105 (a) or under § 6-105 (c);
4. The department may issue an instruction permit to any person who is at least 16 years of age under § 6-105 (b).

6-106 Application for License or Instruction Permit

(a) Every application for an instruction permit or for a driver's license shall be made upon a form furnished by the department. Every application shall be accompanied by the proper fee and payment of such fee shall entitle the applicant to not more than three attempts to pass the examination within a period of six months from the date of application.

(b) Every said application shall state the full name, date and place of birth, sex and residence address of the applicant, and briefly describe the applicant, and shall state whether the applicant has theretofore been licensed as a driver and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal, and such other information as the department may require to determine the applicant's identity competency and eligibility.

(c) Whenever application is received from a person previously licensed in another jurisdiction, the department shall request a copy of such driver's record from such other jurisdiction. When received, the driving record shall become a part of the driver's record in this State in the original instance.

(d) Whenever the department receives request for a driving record from another licensing jurisdiction the record shall be forwarded without charge.

6-202 Suspending Privileges of Nonresidents; Reporting Convictions, Suspensions and Revocations

(a) The privilege of driving a motor vehicle on the highways of this State given to a nonresident hereunder shall be subject to suspension or revocation by the department in like manner and for like cause as a driver's license issued hereunder may be suspended or revoked.

(b) The department is further authorized, upon receiving a record of the conviction in this State of a nonresident driver of a motor vehicle of any offense, to forward a certified copy of such record to the motor vehicle administrator in the state wherein the person so convicted is a resident.

(c) When a nonresident's operating privilege is suspended or revoked, the department shall forward a certified copy of the record of such action to the motor vehicle administrator in the state wherein such person resides.

6-203 Suspending Resident's License Based Upon Conduct in Another State

(a) The department is authorized to suspend or revoke the license of any resident of this State or the privilege of a nonresident to drive a motor vehicle in this State upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this State, would be grounds for the suspension or revocation of the license of a driver.

(b) The department may give such effect to conduct of a resident in another state as is provided by the laws of this State had such conduct occurred in this State.

6-204 When Court to Forward License to Department and Report Convictions

(a) Whenever any person is convicted of any offense for which this act makes mandatory the revocation of the license of such person by the department, the court in which such conviction is had shall require the surrender to it of any driver's license then held by the person so convicted and the court shall thereupon forward the same together with a record of such conviction to the department.

(b) Every court having jurisdiction over offenses committed under this act, or any other act of this State or municipal ordinance adopted by a local authority regulating the operation of motor vehicles on highways, shall forward to the department within 10 days a record of the conviction of any person in said court for a violation of any said laws other than regulations governing standing or parking, and may recommend the suspension of the driver's license of the person so convicted.

(c) For the purposes of this chapter the term "conviction" shall mean a final conviction. Also, for the purposes of this chapter an unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, a plea of nolo contendere accepted by the court, the payment of a fine, a plea of guilty or a finding of guilt on a traffic violation charge, shall be equivalent to a conviction, regardless of whether the penalty is rebated, suspended or probated.

6-205 Mandatory Revocation of License by Department

The department shall forthwith revoke the license of any driver upon receiving a record of such driver's conviction of any of the following offenses:

1. Manslaughter (or homicide by vehicle) resulting from the operation of a motor vehicle;
2. Driving or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor;
3. Driving a motor vehicle while an habitual user or under the influence of any narcotic drug or while under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle;
4. Any felony in the commission of which a motor vehicle is used;
5. Failure to stop, render aid, or identify himself as required by § 10-102 in the event of a motor vehicle accident resulting in the death or personal injury of another;
6. Perjury or the making of a false affidavit or statement under oath to the department under this act or under any other law relating to the ownership or operation of motor vehicles;
7. Unauthorized use of a motor vehicle belonging to another which act does not amount to a felony.

6-206 Authority of Department to Suspend or Revoke License

(a) The department is hereby authorized to suspend the license of a driver without preliminary hearing upon a showing by its records or other sufficient evidence that the licensee:

1. Has committed an offense for which mandatory revocation of license is required upon conviction;
2. Has been convicted with such frequency of serious offenses against traffic regulations governing the movement of vehicles as to indicate a disrespect for traffic laws and a disregard for the safety of other persons on the highways;
3. Is an habitually reckless or negligent driver of a motor vehicle, such fact being established by the point system in subsection (b), by a record of accidents, or by other evidence;
4. Is incompetent to drive a motor vehicle;
5. Has permitted an unlawful or fraudulent use of such license;
6. Has committed an offense in another state which if committed in this State would be grounds for suspension or revocation;
7. Has been convicted of fleeing or attempting to elude a police officer; or
8. Has been convicted of racing on the highways.

(b) For the purpose of identifying habitually reckless or negligent drivers and habitual or frequent violators of traffic regulations governing the movement of vehicles, the department shall adopt regulations establishing a uniform system assigning demerit points for convictions of violations of chapter 11 of this act or of ordinances adopted by local authorities regulating the operation of motor vehicles. The regulations shall include a designated level of point accumulation which so identifies drivers. The department may assess points for convictions in other states of offenses which, if committed in this State, would be grounds for such assessment. Notice of each assessment of points may be given but notice is required when the point accumulation reaches ..... percent of the number at which suspension is authorized. No points shall be assessed for violating a provision of this act or municipal ordinance regulating standing, parking, equipment, size or weight. In case of the conviction of a licensee of two or more traffic violations committed on a single occasion, such licensee shall be assessed points for one offense only and if the offenses involved have different point values, such licensee shall be assessed for the offense having the greater point value. The department is authorized to suspend the license of a driver, with or without preliminary hearing, when his driving record identifies him as an habitually reckless or negligent driver or as an habitual or frequent violator under this subsection.

(c) Upon suspending the license of any person as hereinbefore in this section authorized, the department shall immediately notify the licensee in writing and upon his request shall afford him an opportunity for a hearing as early as practicable within not to exceed 20 days after receipt of such request in the county wherein the licensee resides unless the department and the licensee agree that such hearing may be held in some other county. Upon such hearing the commissioner or his duly authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a re-examination of the licensee. Upon such hearing the department shall either rescind its order of suspension or, good cause appearing therefor, may continue, modify or extend the suspension of such license or revoke such license.

18-101 Record of Traffic Cases - Report of Convictions to Department

(a) Every magistrate or judge of a court shall keep or cause to be kept a record of every traffic complaint, traffic citation or other legal form of traffic charge deposited with or presented to said court or its traffic violations bureau, and shall keep a record of every official action by said court or its traffic violations bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal and the amount of fine or forfeiture resulting from every said traffic complaint or citation depostied with or presented to said court or traffic violations bureau.

(b) Within 10 days after the final conviction or the forfeiture of bail of a person upon a charge of violating any provision of this act or other law or ordinance regulating the operation of vehicles, every said magistrate of the court or clerk of the court of record in which such conviction was had or bail was forfeited shall prepare and immediately forward to the department an abstract of the record of said court covering the case in which said person was so convicted or forfeited bail, which abstract must be certified by the person so required to prepare the same to be true and correct. Report need not be made of any conviction or forfeiture involving the illegal parking or standing of a vehicle.

(c) Said abstract shall be made upon a form furnished by the department and shall include the full name and residence address of the party charged, the number of his license, the registration number of the vehicle involved, a description of the offense, the section of the law or ordinance violated, the date of hearing, the plea, the judgment or whether bail was forfeited, the sentence or amount of forfeiture as the case may be, and such other information as the department may require.

(d) Every court of record shall also forward a like report to the department upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

(e) The failure, refusal or neglect of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in office and shall be ground for removal therefrom.

(f) The department shall keep all abstracts received here-under at its main office and the same shall be open to public inspection during reasonable business hours.

STATE UNIFORM VEHICLE CODE SUMMARY

STATE	Conformity to UVC	1-169 State	6-101 Drivers Must Be Licensed	6-103 Persons Not to be Licensed	6-106 Application for License	6-202 Suspending Privilege
Alabama	High	Not adopted.	Doesn't cover surrender of out-of-state licenses.	Covers section 7 but omits section 2.	Doesn't deal with applicant out-of-state driving record	Doesn't cover section b.
Alaska	High	Not adopted.	Doesn't include any surrender of valid out-of-state licenses.	Covers physical/mental disab section. Doesn't deal w/out-of-state suspensions/rev.	Identical to UVC.	Identical to UVC.
Arizona	High	Not adopted.	6-101 c omitted. Adds drive w/o valid license is class 3 misdemeanor.	Deals with 6-103 b 7 but omits section 2.	Same as UVC. Adds requirement have name of state vehicle is registered & # plate of vehicle.	Section c is not included.
Arkansas	Mod.	Not adopted.	Similar to UVC.	Omit 6-103 b 2. Treat 7 in case of alcoholic or drug user.	Similar to UVC.	Similar to UVC.
California	Low	Not adopted.	Doesn't require surrender of all out-of-state licenses.	Not adopted.	Similar to UVC.	b)Hasn't adopted this part of 6-202.
Colorado	Low	Not adopted.	c)Not adopted specifically.	b)Section 2&7 not adopted. Rest of it like the UVC.	c)Not adopted.	Similar to UVC but omit section c.
Connecticut	None	Not adopted.	Not adopted.	Not adopted.	Not adopted.	Not adopted.

BEST DOCUMENT AVAILABLE

6-203 Suspending Resident Privilege	6-204 When Court Reports Convictions	6-205 Mandatory Revoke by Dept.	6-206 Department Susp/Revoke License	18-101 Record/Report of Conviction
Not adopted. Alabama	Similar to UVC.	Similar to UVW but adds 3 reckless drive charges w/1 year also same category.	Covers section b but omits 7 and 8 of section a.	Not adopted.
Not adopted. Alaska	Similar to UVC. Adds court report of any judged drug users & alcoholics w/changed name & limitations on license.	Similar to UVC. Limits dept. from revoke license when livelihood depends on driving, they can only limit. Adds reckless driving.	Not adopted.	Not adopted.
Omit section b but extends jurisdiction to in-state military bases. Arizona	Same as UVC. 10 day req. forward conviction not includ. Juvenile convict is convict.	Same as UVC. Add perjury re/motor vehicle ownership or operation.	Does have power to susp/revoke Doesn't deal w/specific section of this inquiry.	Not adopted.
Covers a but omits b. Arkansas	Similar to UVC, except 10 day time requirement is not included.	Similar to UVC. Adds 3 convict for reckless drive in 12 month period.	Doesn't cover reciprocal application out-of-state convict, or assess of points.	Not adopted.
Similar to UVC. California	Not adopted.	Seems to omit drunken driving from list.	Not adopted.	Not adopted.
Not adopted. Colorado	Similar to UVC.	Similar to UVC but omits section 7.	No mention of how it handles out-of-state convict in regard to its point system.	Not adopted.
Not adopted. Connecticut	Not adopted.	Not adopted.	Not adopted.	Not adopted.

BEST DOCUMENT AVAILABLE

STATE	Conformity to UVC	1-169 State	6-101 Drivers Must Be Licensed	6-103 Persons Not to be Licensed	6-106 Application for License	6-202 Suspending Privilege
Delaware	High	Not adopted.	Doesn't deal with surrender of out-of-state licenses.	Deals with section 7 but omits section 2.	Same as UVC.	Similar to UVC. Dept has discretion or "may suspend .." replaces "authorize"
Florida	High	Not adopted.	Omits section d but otherwise similar to UVC.	Doesn't adopt section 2& 7. Similar except minimum age requirements.	Not adopted.	Similar to UVC.
Georgia	High	Same as UVC.	Same as UVC.	Similar to UVC. Different age requirements.	Same as UVC.	Similar to UVC. "Requires" instead of "authorize" dept to send violation.
Hawaii	Low	Not adopted.	Not adopted.	Not adopted.	Similar to UVC. Doesn't allow much info gathered by dept for a decision.	Covers section b but omits section a.
Idaho	High	Not adopted.	Similar to UVC.	Omits subsection 2, covers subsection 7.	Similar to UVC.	Uses pre-1971 wording of "authorized", otherwise identical to UVC.
Illinois	High	Identical to UVC.	Similar to UVC. Doesn't require forwarding/notifying the other states.	Covers section 7, omits section 2.	Similar to UVC. Adds technical filing details.	Similar to UVC. Subs the secretary for the department.

BEST DOCUMENT AVAILABLE

BEST DOCUMENT AVAILABLE

	6-203 Suspending Resident Privilege	6-204 When Court Reports Convictions	6-205 Mandatory Revoke by Dept.	6-206 Department Susp/Revoke License	18-101 Record/Report of Conviction
Delaware	Like 6-202, gives dept greater discretion, using "may suspend" language.	Doesn't further define what constitutes a conviction.	Similar to UVC. Adds perjury re/motor vehicle regis/oper, 3 reck/drive convic in 12 mo. convic for eluding police.	Cover out-of-state convic lead to susp/revoke. Case law question susp/revoke can be enforced w/o hearing.	Not adopted.
Florida	Adopts section a omits section b.	Similar to UVC.	Similar to UVC. Adds 3 reck/drive convic w/i 12 mo & vio lewdness, assignation or prostitution in connection with motor vehicle.	Adopts section a, section b partially in that ½ points assessed for out-of-state violations.	Not adopted.
Georgia	Same as UVC	Section c is omitted.	Section 7 not included. Adds racing & use of motor vehicle to elude police.	Both parts of 6-206 adopted. No reference to out-of-state convictions.	Not adopted.
Hawaii	Intent similar to UVC. Provided pact made with other state.	Not adopted.	Not adopted.	Not adopted.	Not adopted.
Idaho	Identical to 1968 version of the UVC statutes.	Doesn't include plea of nolo contendere or payment of fine as a conviction.	Similar to UVC. Adds perjury re/vehicle ownership & oper & reck/drive convic. Susp/revoke limit drive for livelihood.	Similar to UVC.	Similar to UVC.
Illinois	Covers section a. No info on section b.	Not adopted.	Similar to UVC. Omits section 3, makes this section subject to the Compact.	Covers section a 6. Does not deal with section b.	Not adopted.

STATE	Conformity to UVC	1-169 State	6-101 Drivers Must Be Licensed	6-103 Persons Not to be Licensed	6-106 Application for License	6-202 Suspending Privilege
Indiana	Low	Defines state, territory, federal district of U.S.	Fed/Ind statutes are almost identical.	b)Not adopted. b7)Similar to UVC. Notes epileptics must have doctor's statement.	Similar to UVC.	Not adopted.
Iowa	High	Not adopted.	Not adopted.	No reference to other states as in section 2. Covers section 7.	Similar to UVC. Omits last portion of the last line.	Similar to UVC.
Kansas	High	Not adopted outside the DLC.	Similar to UVC.	b2)Mentions suspensions. Does not deal w/out-of-state violations. b7)Similar to UVC.	Not adopted.	States division is "authorized and directed" instead of just "authorized"
Kentucky	High	Not adopted.	Not adopted.	Similar to UVC. Subs "state police" for "commissioner."	Similar to UVC.	Lenient in forward authority using "may" language.
Louisiana	Low	Not adopted.	Not adopted.	Not adopted.	Not adopted.	Not adopted.
Maine	Low	Not adopted.	Not adopted.	Not adopted.	Not adopted.	Allow notice of susp/revoke to be sent. Statute states "shall be sent."
Maryland	High	Similar to UVC.	Not adopted.	Omits section 2 but covers section 7.	Similar to UVC.	Omit section a & cover b. States record "may" be sent to state non-resident "resides or licensed to drive."

BEST DOCUMENT AVAILABLE

6-203 Suspending Resident Privilege	6-204 When Court Reports Convictions	6-205 Mandatory Revoke by Dept.	6-206 Department Susp/Revoke License	18-101 Record/Report of Conviction
Not adopted on both sections. Indiana	Not adopted.	Not adopted.	Not adopted.	Not adopted.
Similar to UVC. Iowa	Doesn't include "plea of nolo contendere, pmt of fine, etc."	Similar to UVC. Doesn't include section 3 & no info on section 4 & 5.	Cover both provisions of UVC in similar fashion.	Provides for keeping records only.
a)Similar to UVC. Only apply to residents. b)Not adopted. Kansas	c)Similar to UVC.	Covers section 1 and omits the others.	Not adopted.	Similar to UVC.
Again uses "may" language. Kentucky	Not adopted.	Similar to UVC. Omits section 3 & 5.	a6)Similar to UVC. b)Similar to UVC.	Not adopted.
Omits section a. Covers section b similar to UVC. Louisiana	No comparable provision.	Similar to UVC. Omits section 3.	a6)Similar to UVC. b)Not adopted.	Similar to UVC.
Similar to old 203 a. Maine	Not adopted.	Not adopted.	Not adopted.	Similar to new section 16-305.
Not adopted. Maryland	Similar to UVC.	Covers section 2. Omits rest of the UVC provisions.	Similar to UVC in covering section a 6 but omits section b entirely.	Similar to UVC.

BEST DOCUMENT AVAILABLE

STATE	Conformity to UVC	1-169 State	6-101 Drivers Must Be Licensed	6-103 Persons Not to be Licensed	6-106 Application for License	6-202 Suspending Privilege
Massachusetts	Low	Not adopted.	Prohibit issue license when susp/revoke by registrar. Doesn't stop one w/out-of-state license from get Mass. Require evidence of age.	Doesn't deal w/issue in 6-103 2. Registrar has equal power to susp/revok resid/non-resid license.	Not adopted.	Same as 6-103. Doesn't give power to sent notice of susp/revoke to state.
Michigan	High	Doesn't include Puerto Rico.	Similar to UVC.	Similar to UVC.	Moits "place of birth". Adds when rec/app from out-state sec of state req copy of drive rec & include in Mich record.	Similar to UVC. Use "may suspend" language.
Minnesota	High	Same as UVC.	Similar to UVC.	Covers section 7. Doesn't deal with section 2.	Similar to UVC. Omits "place of birth. Adds info Commiss might think necessary.	Not adopted.
Mississippi	Low	Not adopted	Not adopted.	b2)Not adopted. b7)Similar to UVC. Allows license to deaf/handicap people w/mechan aided car.	Similar to UVC.	Not adopted.
Missouri	High	Similar to UVC.	Not adopted.	Identical to UVC.	Cover same. Adds renew of license insert complete rec of convict shown on back/lic	a)Not adopted. b)Identical to UVC.
Montana	High	Not adopted	Surrender driv/lic for chauf lic. Doesn't mention Mont driver's licenses.	Not adopted.	Similar to UVC. Subs oper/ chauf/lic instead of driv/license.	Identical to UVC.

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	6-203 Suspending Resident Privilege	6-204 When Court Reports Convictions	6-205 Mandatory Revoke by Dept.	6-206 Department Susp/Revoke License	18-101 Record/Report of Conviction
Massachusetts	Concern w/out-of-state narc-while-drive vio/conv. Doesn't include alcohol or other violations.	Not adopted.	Not adopted.	Not adopted.	Less specific on pers/data than UVC. More spec w/legal part of case. Court can alert registrar to violations so they aren't overlooked.
Michigan	Similar to UVC. Uses "may suspend" instead of "authorized" language.	Convic include: final convic, pmt of fine. pleas of guilty, or find of guilt on traffic violation.	Similar to UVC. Adds perjury on vehicle oper/regis.	Doesn't deal w/susp. w/o a hearing, out-of-state susp.(although 6-106 covers both part of UVC.	Not adopted.
Minnesota	Similar to UVC. Delegates authority to Commissioner.	Similar to UVC. Doesn't have pleas of nolo contendere, pmt of fine, plea of guilty, find of guilt on traf/vio charge.	Similar to UVC. Adds perjury re/vehicle operation or ownership.	Not adopted.	Similar to UVC. Deals with accident reports & not specific in its record.
Mississippi	a)Not adopted. b)Similar to UVC re/offense for susp/revoke of license.	Not adopted.	Omits section 2 & 3. Adds perjury re/accident result in death or injury, & 3 counts of reck/drive w/i 12 months.	Not adopted.	Not adopted.
Missouri	"Authorize" fwd convict only if convict would merit susp/revoke by itself.	Doesn't consider plea of nolo contendere, pmt of fine, plea of guilty as equiv of convict.	Not adopted.	Cover section a 6. Doesn't adopt b unless serious enough to fall into a 6.	Not adopted.
Montana	Not adopted.	Doesn't include plea of nolo contendere, pmt of fine, plea of guilty or find of guilty on traffic vio/charge.	Similar to UVC.	Covers a 6 but has no point system set up.	Provides for individual record for licensee showing rec of convict & traffic accidents.

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STATE	Conformity to UVC	1-169 State	6-101 Drivers Must Be Licensed	6-103 Persons Not to be Licensed	6-106 Application for License	6-202 Suspending Privilege
Nebraska	Low	Not adopted.	Not adopted.	Not adopted.	Cover same personal info. But doesn't ask if has ever been refused a license.	Similar to UVC. Director needs a certified copy of judg/convic not a record of convict.
Nevada	High	Not adopted.	Similar to UVC.	b2)Not adopted. b7)Similar to UVC.	Similar to UVC.	a)Similar to UVC. b)Identical to UVC.
New Hampshire	Low	Not adopted.	Adopted with no deviation.	Not adopted.	Doesn't consider out-of-state revoke/susp. Require appl to describe vehicle, make, #, vehicle id #, engine size & statement.	Not adopted.
New Jersey	Low	Not adopted.	Not adopted.	Not adopted.	Not adopted.	Not adopted.
New Mexico	High	Not adopted.	Similar to UVC.	Similar to UVC.	Similar to UVC. Omits last phrase of model statute.	a)Similar to UVC. b)Uses word "authorized" instead of "required".
New York	None	Not adopted.	Covered but in very different language.	Covered but in very different language.	Not adopted.	Not adopted.

BEST DOCUMENT AVAILABLE

6-203 Suspending Resident Privilege	6-204 When Court Reports Convictions	6-205 Mandatory Revoke by Dept.	6-206 Department Susp/Revoke License	18-101 Record/Report of Conviction
Similar to UVC. Nebraska	Not adopted.	Similar. Does address to habit/ drug user. Only local/prohib drug. Adds perjury re/motor vehicle ownership/operation as mandatory revoke item.	a6)Similar to UVC. b)Not adopted.	Not adopted.
Identical to UVC. Nevada	Includes findings by Juve/court omits plea of nolo contendere, or pmt of fine.	Similar to UVC. Cover section 2 & 3. Only effect on 2nd convict after 3 yr & before 7yr adds perjury re/motor vehicle ownership/operation.	Does consider out-of-state vio it doesn't set up a point system.	Not adopted.
Not adopted. New Hampshire	Not adopted.	Not adopted.	Not adopted.	Not adopted.
Incorporates gist of 6-203. Using the language of "shall authorize" says "may susp/ revoke." New Jersey	Not adopted.	Not adopted.	Not adopted.	Not adopted.
Uses "authorized" instead of "shall revoke" in case of residents & "may susp/ revoke" for nonresidents. New Mexico	Similar to UVC. Omits pmt of fine as equivalent.	Similar to UVC. Adds 3 convict/ forfeiture of bail on reck/ drive w/i 12 months.	Not adopted.	Similar to UVC. Lacks the info/require found in UVC.
Not adopted. New York	Not adopted.	Not adopted.	Not adopted.	Not adopted.

BEST DOCUMENT AVAILABLE

STATE	Conformity to UVC	1-169 State	6-101 Drivers Must Be Licensed	6-103 Persons Not to be Licensed	6-106 Application for License	6-202 Suspending Privilege
North Carolina	High	Identical to UVC.	c)Not adopted.	Cover section 2 but 7 emphasis the disqualify hinges on use instead of lack of capacity to oper.	Not adopted.	Similar to UVC.
North Dakota	High	Identical to UVC.	Similar to UVC.	Similar to UVC. Adds: ban license if he believes person is inimical to public safety/welfare.	Drops req of disclose prev out-of-state license. Seems covered by section c.	Similar to older UV Send record/convict to violator state.
Ohio	High	Not adopted.	Same as UVC.	Similar to UVC. Allow issue of prob/license to 14 year olds.	Similar to UVC.	Not adopted.
Oklahoma	High	Not adopted.	Similar to UVC.	b) Comparable to UVC. Stat cover subsection 7 omits subsection 2.	Identical to UVC.	Similar to UVC. Use pre-1971 language of "authorized" instead of "required".
Oregon	High	Doesn't include Puerto Rico. Only apply to "financial respon" law section.	c) Adopted verbatim.	Cover section 2: section 7 cover by disqualify & doesn't leave solely to discretion of commission.	Similar to UVC. Doesn't req show of birth certificate. No limit on # of try at pass driver exam.	Doesn't adopt language of UVC. Non-resident will have standard that resident/drive obey. Will fwd if reciprocal agreement.

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6-203 Suspending Resident Privilege	6-204 When Court Reports Convictions	6-205 Mandatory Revoke by Dept.	6-206 Department Susp/Revoke License	13-101 Record/Report of Conviction
Similar to UVC. North Carolina	Doesn't have plea of nolo contendere, pmt of fine as equivalent to conviction.	Similar to UVC. Omits subsection 3.	Cover section a 6. Seems to cover section b. Doesn't state points for out-of-state convict unless warrant susp/revoke.	Same issues. Doesn't require that out-of-state convict part of driver's record.
"May susp/revoke." If doesn't merit susp/revoke no points. Will disregard drive on out-of-state license that is susp/revoke if has valid North Dakota license. North Dakota	Similar to UVC. Omits plea of nolo contendere or pmt of fine as a conviction.	Cover section 1 & 4. Adds clause re/perjury re/vehicle ownership/operation.	Req hearing & section a 6 may be covered by 2 overlap clauses. Section b is negated under section covering UVC 6-203.	Not adopted.
Not adopted. Ohio	Not adopted.	Similar to UVC. Power of revoke given to trial judge not dept. No authority for mandatory revoke. Add 3 offense for susp.:1)Drag race;2)elude the police;3)traffic in cigarette to avoid pmt of such tax.	Not adopted.	Not adopted.
Similar to pre-1971 UVC. Uses "shall" language. Oklahoma	Similar to UVC. Doesn't mention plea of nolo contendere or pmt of fine.	Similar to UVC. Adds 3 reck/drive charges w/i 12 mo to list.	Doesn't mention its procedure dealing w/out-of-state violations.	Similar to UVC.
a)Uses "may susp/revoke" language. b)Uses "may" language. Oregon	No information available.	Similar to UVC. Adds 3 to list: elude police, fail to satisfy court judg w/i 60 day, perjury re/insur liability/financial responsibility.	Cover section a 6. Doesn't set up a point system.	Not adopted.

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STATE	Conformity to UVC	1-169 State	6-101 Drivers Must Be Licensed	6-103 Persons Not to be Licensed	6-106 Application for License	6-202 Suspending Privilege
Pennsylvania	High	Similar to UVC.	c) Not adopted.	Similar to UVC.	Doesn't require information concern out-of-state drive record.	Omit section a but cover section b if there is reciprocity agreement w/state.
Rhode Island	High	Not adopted.	Similar to UVC.	b) Adopts subsection 7. Omits section 2.	c) Similar to UVC.	b) Similar to pre-1975 wording of the UVC.
South Carolina	High	Does not include Puerto Rico & Canada.	Identical to UVC.	Identical to UVC.	Similar to UVC. Applicant is not restrict to 3 try at pass driving test.	b) Identical. Except uses "may" language & asks for out-of-state records free. Uses "may susp/revoke if there are reciprocity
South Dakota	Low	Not adopted.	Not adopted.	b) Not adopted. b) Similar to uvc.	Similar to UVC.	Similar to pre-1971 UVC. "authorized" language.
Tennessee	Low	Not adopted.	Not adopted.	b) Adopts subsection 7. Omits subsection 2.	c) Not adopted.	b) Adopts pre-1971 UVC provision "authorize". language.
Texas	High	Not adopted.	c) Not adopted.	b) Adopted subsection 7. Omits subsection 2.	b) Similar to UVC.	b) Similar to pre-1971 UVC.
Utah	High	Not adopted.	Not adopted.	b) Adopts subsection 7. Omits subsection 2.	Similar to UVC.	Similar to pre-1971 UVC "authorized language"

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6-203 Suspending Resident Privilege	6-204 When Court Reports Convictions	6-205 Mandatory Revoke by Dept.	6-206 Department Susp/Revoke License	18-101 Record/Report of Conviction
Not adopted. Pennsylvania	Not adopted.	Similar to UVC. Adds provision relate operation/registration & id of motor vehicle.	Not adopted. A record of all convict will be kept on every driver.	Similar to UVC.
Uses "Authorized". Only adopts section a while omit section b. Rhode Island	Not adopted.	Similar to UVC.	Similar to UVC.	No information available.
Dept more discretion use "may susp/revoke". Only apply if there is reciprocity. South Carolina	Similar to UVC. Doesn t include find of guilt on traf/vio charge Doesn't include "regardless of penalty" language.	Doesn't include 2 & 3 of UVC provision. Last sentence allow dept to revoke/susp as require by state laws.	(a6) Identical. Uses "has been convict" instead of "has committ ed language. b)Sets pt system. No mention of transfer out state vio on system	Similar to UVC. No specifics on personal info requirement
Similar to pre-1971 UVC language. South Dakota	Similar to UVC. Omits discuss of plea of nolo contendere.	Similar to UVC. Add reck/drive.	(a6) Similar to UVC. b)Establish point system. No mention of handle out-state vio which merit less than suspension	Not adopted.
Adopts pre-1971 UVC provision for section a but omits section b. Tennessee	c) Not adopted.	Similar to UVC.	(a6) Similar to UVC. b) Not adopted.	Not adopted.
Similar to pre-1971 UVC. Texas	Similar to UVC. Holds no decision on nolo contendere plea.	Similar to UVC.	(a6) Similar to UVC. b)Not adopted.	Not adopted.
Similar to pre-1971 UVC. Utah	Similar to UVC. Doesn't mention position on plea of nolo contendere & out of fines.	Similar to UVC. Adds perjury & reck/drive provision to list.	Not adopted.	Similar to UVC.

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STATE	Conformity to UVC	1-169 State	6-101 Drivers Must Be Licensed	6-103 Persons Not to be Licensed	6-106 Application for License	6-202 Suspending Privilege
Vermont	Low	Not adopted.	Not adopted.	Not adopted.	Not adopted.	b) Not adopted.
Virginia	Low	Not adopted.	c) Not adopted.	b) Adopts subsection 7. Omits subsection 2.	b) Not adopted.	b) Similar to UVC.
Washington	High	Not adopted.	c) Not adopted.	b) Adopted subsection 7. Omits section 2.	b) Similar to UVC. Doesn't require out-of-state record given same effect.	Similar to UVC.
West Virginia	High	Not adopted.	Cover UVC provision. Add commercial out-of-state may be retained.	Cover section 7. Omits section 2.	Similar to UVC. Probe into past susp/revoke limited to 5 yr prior to application	Similar to UVC. Use compact language of "shall forward."
Wisconsin	High	Not adopted.	c) Not adopted.	b) Adopt subsection 7. Omit subsection 2.	Similar to UVC.	Similar to UVC.
Wyoming	High	Similar to UVC.	Similar to UVC.	Similar to 1968 revised section that lists disqualifications.	Similar to UVC.	Same as UVC.

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6-203 Suspending Resident Privilege	6-204 When Court Reports Convictions	6-205 Mandatory Revoke by Dept.	6-206 Department Susp/Revoke License	18-101 Record/Report of Conviction
a) Commissioner "may suspend/ revoke license after notice & hearing. If licensee acts w/i 10 day can appeal out-of state convict & hearing will be held. Vermont	Not adopted.	Not adopted.	Not adopted.	Not adopted.
a) Similar to UVC. b) Not adopted. Virginia	Not adopted.	Similar to UVC. Adds perjury to list.	Not adopted.	Not adopted.
Not adopted. Washington	c) Similar to UVC. Doesn't include plea of nolo contendere.	Similar to UVC.	Comparable but doesn't discuss procedure deal with out-of-state convictions.	Not adopted.
Same as 6-202 a,. Omits section b. West Virginia	Same as UVC. Doesn't include pmt of fine & plea of nolo contendere as conviction.	Similar to UVC.	Doesn't specifically deal with 6-206 a & nor b.	Not adopted.
a) Similar to UVC. b) Not adopted this portion of UVC. Wisconsin	c) Similar to UVC. Adds juvenile convict to list.	Similar to UVC. Adds perjury to list.	Not adopted.	Not adopted.
Section b adopted authorize suspension or revocation. Wyoming	Similar to UVC. Seciton c above.	Language differs greatly from UVC.	Language differs greatly from UVC.	Similar to UVC.

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APPENDIX E

A Summary of Unsafe Driving Actions

"Identification of Unsafe Driving Actions and Related Countermeasure" - University of North Carolina, Highway Safety Center, December 1976.

The following table shows the percentage distribution of violation types associated with accidents. Although an indepth study should be conducted, this study demonstrates that the Compact offenses represent a low percentage of the total problem. This table does not include the three non-driving violations listed in the Compact. It is estimated that combined, they represent less than one percent of the total motor vehicle offenses cited.

Percentage distributions for first reported violation: 1973-1975.

Violation #1	1973*	1974	1975
Speeding < 65 mph	9.0%	9.1%	6.9%
Speeding 65-75 mph	1.2	1.2	1.1
Speeding > 75 mph	0.6	0.4	0.4
Failed to yield	5.5	5.1	4.9
Wrong lane	3.6	3.5	3.5
Improper overload	1.2	1.1	1.0
Disregard stop sign	1.7	1.5	1.5
Disregard traffic signal	1.4	1.5	1.6
Following	3.5	3.1	4.7
Improper turn	1.4	1.0	0.6
Improper/no signal	0.4	0.4	0.3
Improper parking	0.3	0.3	0.3
*DUI	1.4	1.6	1.5
Reckless	0.6	0.6	0.6
Racing	0.0	0.0	0.0
Safe maneuver violation	10.2	11.1	11.9
Passing on curve	0.0	0.0	0.0
Passing on hill	0.0	0.0	0.0
Passing school bus	0.0	0.0	0.0
Improper lights	0.0	0.0	0.1
Improper brakes	0.4	0.4	0.4
Other improper driving	1.4	1.5	1.6
Not stated, no violation	56.1	56.4	57.1
	100.%	100.%	100.%
	(242883)	(249102)	(265958)

*Compact

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INTERSTATE DRIVER LICENSE AGREEMENTS SURVEY QUESTIONNAIRE

	1. Does your state adhere to?							2. Processing out-of-state license applicant?							3. Do you receive convictions for traffic violations your residents receive out-of-state?						
	a. Driver License Compact	b. Uniform Vehicle Code	c. Non-resident violator compact	d. Use National Driver Register	e. Reciprocity agreements	f. None of above		a. Require card filled out for NDR	b. Require letter of clearance	c. Require complete driver record	d. Issue over the counter license	e. Issue temporary license until receive clearance	f. None of above		a. Driving while intoxicated	b. Other moving violations, hit/run, failure to stop at scene, felony	c. Fail to appear	d. All types of moving violations	e. Don't receive information unless requested	
Alabama	Yes	Yes	No	Yes	No	No		No	No	No	Yes	No	No		Yes	Yes	Yes	Yes	No	
Alaska	No	No	No	Yes	No	No		Yes	Yes*	No	No	No	No	*2b.If not in possession	NR	NR	NR	NR	NR	
Arizona	Yes	Yes	No	Yes	No	No		Yes	Yes	No	No	No	NR		Yes	Yes	No	Yes	No	
Arkansas	NR	NR	NR	NR	NR	NR		NR	NR	NR	NR	NR	NR		NR	NR	NR	NR	NR	
California	Yes	No	No	Yes	No	No		No	Yes	Yes	No	Yes	No		Yes	Yes	No	Yes	No	
Colorado	Yes	No	Yes	Yes	Yes*	No	*e.With state under FRA on indg/susp.	No	No	No	No	No	No	*e.Check NDR monthly for hits.	Yes	Yes	Yes	Yes	No	*e.All but PA,OH,MD,CT, DWI from all
Connecticut	No	Yes	No	Yes*	No	No	*d.NY,N16 New England states.	No	No	No	Yes	No	No	Return old license.Check for susp	No	Yes	Yes	Yes	*	
Delaware	Yes	Yes	Yes	Yes	No	No		No	No	No	No	No	No		NR	NR	NR	NR	NR	
District of Columbia	NR	NR	NR	NR	NR	NR		NR	NR	NR	NR	NR	NR		Yes	Yes	Yes	Yes	No	
Florida	Yes	Yes	Yes	No	No	No		No	No	Yes	Yes	No	No		Yes	Yes	Yes	Yes	No	
Georgia	No	Yes	Yes	Yes	No	No		NR	NR	NR	NR	NR	NR		NR	NR	NR	Yes	No	
Hawaii	NR	NR	NR	NR	NR	NR		NR	NR	NR	NR	Yes	No		No	No	No	Yes	No	
Idaho	Yes	Yes	No	Yes	Yes	No		No	No	No	Yes	No	No	*b.Only is no valid license.	Yes	Yes	Yes	Yes	No	
Illinois	Yes	Yes	No	Yes	No	No		No	Yes*	No	No	No	No		Yes	Yes	No	Yes	No	
Indiana	Yes	No	Yes	No	Yes	No		No	No	No	Yes	No	No		Yes	Yes	No	Yes	No	
Iowa	Yes	Yes*	No	Yes	No	No	*b.Nearly.	No	Yes	Yes	No	No	No		Yes	Yes	No	Yes	No	
Kansas	Yes	Yes	No	No	No	No		No	Yes	No	Yes	No	No		No	No	No	Yes	No	
Kentucky	No	Yes	Yes	Yes	No	No	*c.Set for legislation in session.	No	Yes	Yes	Yes	No	No	*f.Ck made NDR if convic. noted	NR	NR	NR	NR	NR	
Louisiana	Yes	Yes	Yes	Yes	No	No		No	No	No	No	Yes*	No		No	No	Yes*	Yes	No	*c.New Hampshire.
Maine	Yes	Yes	Yes*	Yes	No	No		NR	NR	NR	NR	NR	NR		NR	NR	NR	NR	NR	
Maryland	NR	NR	NR	NR	NR	NR		No	No	No	No	Yes	No		Yes	Yes	Yes	Yes	No	
Massachusetts	No	No	No	Yes	Yes*	No	*e.License application	No	No	No	No	No	Yes		Yes	Yes	No	Yes	No	
Michigan	No	No	No	Yes	No	No		No	No	Yes	Yes	No	No		Yes	No	No	No	No	
Minnesota	Yes*	Yes	Yes	Yes	No	No	*a.Have oral reciprocity all states.	Yes	No	Yes	Yes	No	No		Yes	Yes	Yes	No	No	
Mississippi	Yes	Yes	Yes	Yes	No	No		No	Yes	No	No	No	No		Yes	Yes	No	No	No	
Missouri	Yes	Yes	No	Yes	No	No		Yes	Yes	Yes	No	No	No		Yes	No	No	No	No	
Montana	NR	NR	NR	NR	NR	NR		No	No	No	No	No	Yes		Yes	Yes	Yes	No	No	
Nebraska	Yes	Yes	No	No	No	No		No	No	Yes	Yes	No	No		Yes	Yes	No	No	No	
Nevada	No	Yes	Yes	Yes	No	No		Yes	Yes	No	No	No	No		Yes	Yes	No	No	No	
New Hampshire	NR	NR	NR	NR	NR	NR		NR	NR	NR	NR	NR	NR		NR	NR	NR	NR	NR	
New Jersey	NR	NR	NR	NR	NR	No		No	No	Yes	Yes	No	Yes*	*c&d.If have hit./*f.Check NDR.	Yes	Yes	No	No	No	
New Mexico	Yes	Yes	Yes	No	No	No		No	No	No	No	No	Yes	*f.Check NDR via computer tape	Yes	Yes	No	No	No	
New York	Yes	No	Yes	No	No	No		No	No	No	No	No	Yes	*c.If applicant states susp.	Yes	Yes	Yes	No	No	
North Carolina	Yes	Yes	Yes	Yes	Yes	No	*e.All but Conn. Ohio, Missouri	No	No	Yes	No	No	No	*d.DV/data generated NDR inquiry.	*					*d.Receive unsolicited convic.
North Dakota	No	Yes	Yes	Yes	Yes	No		No	No	Yes	Yes	No	No		Yes	Yes	Yes	Yes	No	
Ohio	No	No	No	Yes	No	No		No	No	Yes	Yes	No	No	*b&c.If susp/revoke is indicated	Yes	Yes	No	Yes	No	
Oklahoma	Yes	Yes	No	Yes	No	No	*b.In part	Yes	Yes	No	No	No	Yes		No	No	Yes	Yes	No	
Oregon	Yes	Yes	Yes	Yes	No	No		No	No	No	No	Yes	No	*b.Check appl has no license. Some temp then check other state	Yes	Yes	Yes	Yes	No	
Pennsylvania	No	Yes	Yes	Yes	No	No		No	Yes	Yes	Yes	No	No		Yes	Yes	No	Yes	No	
Rhode Island	Yes	Yes	Yes	Yes	No	No	*e.As of 1/1/81.	Yes	No	Yes	Yes	Yes	No		Yes	Yes	No	Yes	No	
South Carolina	Yes	No	Yes	Yes	No	No		No	No	Yes	No	No	No		Yes	No	No	Yes	No	
South Dakota	Yes	Yes	Yes	Yes	No	No		Yes	Yes	No	No	Yes	No		Yes	Yes	No	Yes	No	
Tennessee	No	No	No	Yes	No	No		No	No	Yes	Yes	No	No		Yes	Yes	Yes	Yes	No	
Texas	No	No	No	Yes	No	No		No	No	No	No	No	No		Yes	Yes	No	Yes	No	
Utah	Yes	Yes	Yes	No	No	No		Yes	No	No	No	No	No	*b&c.If necessary	Yes	Yes	Yes	Yes	No	
Vermont	No	Yes	No	Yes	No	No		No	Yes	No	No	No	No		Yes	Yes	No	Yes	No	
Virginia	No	Yes	No	Yes	No	No		No	No	Yes	No	No	No		Yes	Yes	No	Yes	No	
Washington	Yes	Yes	No	Yes	No	No		No	No	No	No	No	Yes		Yes	Yes	No	Yes	No	
West Virginia	Yes	No	Yes	Yes	No	No		No	Yes	No	No	No	No		Yes	Yes	No	Yes	No	
Wisconsin	No	No	No	Yes	No	No		No	No	Yes	No	No	No		Yes	Yes	No	Yes	No	
Wyoming	No	No	No	Yes	No	No		Yes	No	No	No	No	No		Yes	Yes	No	Yes	No	

LEGEND: * = see text for clarification NA = Not applicable NR = No response

	4. What is done with info received from another state on resident driver?											5. Does your state have:	
	a. If FTA, we suspend license until judgment satisfied.											a. A point system?	
		b. We use all violations as if they occurred in our state.											b. If yes, do you use out-of-state convictions for point accumulation? (same as if they occurred in your state?) Explain:
			We use the following violations from other states:										
			c. Driving while intoxicated (DWI)										
				d. Manslaughter or negligent homicide									
					e. Felony motor vehicle used								
						f. Failure to stop and render aid							
							g. treat it as if it occurred in our state						
								h. treat it differently (reduced penalty)					
									i. suspend license then conduct hearing				
										j. conduct hearing & may suspend license			
Alabama	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes		Yes	Same point value applies
Alaska	No	No	No	No	No	No	No	No	No	No	*Destroy regular citations per AK statute.	No	
Arizona	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes*	No	*1.Upon request.	Yes	Major-8 pt;Speed-2 pt;Minor-2 pt.
Arkansas	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR		NR	
California	No	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No		Yes	Same as if they occur in CA.
Colorado	*	No	No	No	No	No	Yes	No	No	No	*a.Enter on driver history.	Yes	No.
Connecticut	No	No	Yes	Yes	No	Yes	Yes	No	No	Yes		Yes	No.
Delaware	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes*	No	*1.If requested.	Yes	Treat same as if they occur in DE.
District of Columbia	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR		NR	
Florida	Yes*	Yes*	Yes	Yes	Yes	Yes	Yes	No	Yes*	No	*a.Enter on record.*b.½pts.*1.If requested.	Yes	Yes. ½ points.
Georgia	Yes	No	Yes	Yes	Yes	Yes	Yes	No	No	No		Yes	NR
Hawaii	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR		NR	
Idaho	No	Yes	No	No	No	No	Yes	No	No	No		Yes	Yes. As if occur here. Same point or suspension if susp. offense.
Illinois	No	No	Yes	Yes	Yes	Yes	No	Yes	Yes*	No	*1.If requested.	Yes	Yes.
Indiana	Yes*	No	Yes	Yes	Yes	Yes	Yes*	Yes*	NO	Yes*	*a.Non-res vio memb/*ghj.Lic memb vio same.	Yes	Convict. same as IN get same pt value. If don't match they get 2 points.
Iowa	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No		NR	
Kansas	No	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	If license surrender in lieu of bond.	Yes*	Yes/*a.Modified (#&type of violation)
Kentucky	Yes	No	Yes	Yes	Yes	Yes	Yes	No	No	Yes		Yes	NR
Louisiana	No	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes		No	
Maine	No	Yes	No	No	No	No	No	No	Yes	No		Yes	Only compact states,except NH w/whom we have agreement with DWI cases.
Maryland	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR		NR	
Massachusetts	Yes*	No	Yes	Yes	Yes	No	No	Yes	No	Yes	*a.Limited to accident on MA public ways.	Yes*	No./*a.Merit rating board.
Michigan	No	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes		Yes	When out of state is same as Michigan
Minnesota	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes*	No	*1.If requested.	NR	
Mississippi	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No		Yes	NR
Missouri	Yes	No	Yes	Yes	No	No	Yes	No	No	No		Yes	Yes, if they result in 12 pt assessment.
Montana	No	Yes	No	Yes	Yes	Yes	Yes	No	No	No		Yes	Same point value applies
Nebraska	No*	No	No	No	No	No	No	No	No	No	*a.Nothing concerning NE drive record.	Yes	No.Only vio occur in this state are entered on record for point assessment.
Nevada	No	No	Yes	Yes	Yes	Yes	Yes	No	No	Yes		Yes	No.
New Hampshire	Yes	No	No	No	No	No	No	No	No	No		NO	
New Jersey	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR		NR	
New Mexico	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No		Yes	Yes. Same point as though a NM violation.
New York	Yes	No	Yes	Yes	Yes	Yes	No	No	No	No		Yes	NR
North Carolina	Yes*	No	Yes	Yes	Yes	Yes	Yes	No	Yes*	Yes	*a.If non-res vio state/*1.If requested.	Yes	No. Statute prohibits.
North Dakota	Yes*	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	*a.Record information on record.	Yes	No. Treat criminal violation as if occur in our state.
Ohio	*										*No action taken.	Yes	No action taken.
Oklahoma	No	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes		Yes	Same as if happened in Oklahoma
Oregon	No	No	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes		NR	NR
Pennsylvania	Yes	No	No	No	No	No	No	No	No	No		Yes	No
Rhode Island	Yes	No	Yes	Yes	Yes	Yes	Yes	No	Yes	No		NO	
South Carolina	Yes*	Yes	No	No	No	No	No	No	No	No		Yes	All violation are used except speeding. Points are ½ value for out-of-state speeding
South Dakota	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes		Yes	Yes
Tennessee	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No		Yes	Yes
Texas	No	No	Yes	Yes	Yes	Yes	No	No	No	Yes		No	
Utah	No	Yes	Yes	Yes	No	No	Yes	No	No	No		Yes	Same as if occurred in this state
Vermont	Yes	No	Yes	No	No	No	No	Yes	Yes	No		Yes	No points assessed on out-of-state convictions.
Virginia	Yes*	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	*a.If member non-res violator compact.	Yes	Same as if occurred in our state.
Washington	No	No	Yes	Yes	No	Yes	Yes	No	No	No		Yes*	We use out-of-state convict & treat as if they occur here./*a.We don't use it.
West Virginia	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes		Yes	Yes
Wisconsin	No	No	Yes	Yes	Yes	Yes	No	Yes	No	No		Yes	No.
Wyoming	No	No	Yes	Yes	Yes	Yes	Yes	No	No	Yes		NR	

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	6. What type of information is sent to other states consistently? a. FTA's, FTP's (received from courts)	b. All types of convictions for moving violations	Return licenses of original applicants if out-of-state	c. Return actual license	d. Return printout	e. Exceptions	f. Suspend/revoke action of non-resident occurring in your state	7.(a) In your opinion what changes in the Driver License Compact (DLC) would make it more acceptable to all states?
Alabama	Yes	Yes	Yes	No	No	Yes		All states utilize service and quicker access to data.
Alaska	NR	NR	NR	NR	NR	NR		NR.
Arizona	No	Yes*	No	No	NR	Yes	*b.Dont fwd minor to 10 juris.	Amend Art.3 to support states only sending certain convict. via computer generated print-out.
Arkansas	NR	NR	NR	NR	NR	NR		NR
California	No	Yes	No	Yes	NR	Yes		Permit states more discretion in applying compact laws.
Colorado	No	Yes	Yes	No	NR	No		Must know what the violation is. Not a violation code (i.e.California).
Connecticut	No	No	Yes*	No	NR	No	*c.On request.	None.
Delaware	Yes	Yes*	Yes	No	NR	No	*b.Revoke offense sent to MD,PA,CT,OH.	1 license should be mandatory.Treatment of violation in other state is big problem.
District of Columbia	NR	NR	NR	NR	NR	NR		NR
Florida	Yes	Yes	Yes	No	NR	Yes		Need clause for escape mechanism for certain situations.1-person 1-record is more valid.
Georgia	No	Yes	Yes	No	NR	Yes		NR
Hawaii	NR	NR	NR	NR	NR	NR		NR
Idaho	No	Yes	Yes	No	NR	No		Adherence by member req. driver meet requirements of susp. state prior to license in new state.
Illinois	No	Yes	Yes	No	NR	Yes		NR
Indiana	Yes*	Yes	Yes	No	NR	Yes	*a.Only w/member of non-res vio compact	1 license would benefit all states.Easy access of info between states.MDT is too slow & not easily accessible.
Iowa	Yes	Yes	No	No	NR	No		Less enforce for uniform state laws.Each state to handle problem on state level.Records for license purpose only.
Kansas	Yes	Yes	Yes	No	NR	Yes		NR
Kentucky	Yes	Yes	Yes	No	NR	Yes		DLC too rigid. Most states have a legislative problem.
Louisiana	No	Yes	Yes	No	No	Yes		More uniform laws.
Maine	No	Yes	Yes	No	NR	Yes		NR
Maryland	NR	NR	NR	NR	NR	NR		NR
Massachusetts			*				*We don't pickup out-of-state licenses.	Standard of procedure.
Michigan	Yes	Yes	Yes	No	No	Yes		Delete requirement for suspension on out-of-state FTA's. Develop an equivalence chart.
Minnesota	Yes	Yes	Yes	No	NR	Yes		NR
Mississippi	Yes	Yes	Yes	No	NR	Yes		Ok as is.
Missouri	Yes	Yes	Yes	No	NR	Yes		Recognized by all state enforcement officials of validly license oper. or chauf in his/her resident state.
Montana	No	Yes	Yes	No	Yes	Yes		NR
Nebraska	No	No	Yes*	No	NR	NO	*c.License is return by Finan.Resp.Div.	Uniform state laws.
Nevada	No	Yes	Yes	No	NR	Yes		NR
New Hampshire	No	No	Yes	No	NR	NO		NR
New Jersey	NR	NR	NR	NR	NR	NR		NR
New Mexico	No	Yes	Yes	No	NR	Yes		Uniform point treatment. Same treatment for 1st time DWI convictions.
New York	No	No	Yes*	No	NR	NO	*c.Only for compact states.	NR
North Carolina	No	No	No	No	NR	Yes		More information
North Dakota	Yes	Yes	Yes	No	NR	Yes		Legislative reasons. At this time have no reason why didn't join.
Ohio	No	No	Yes	No	NR	No		Not aware of (DLC).
Oklahoma	No	Yes	Yes	Yes	No	No		Uniformity in printouts and violation codes.
Oregon	No	Yes	Yes	No	NR	Yes		Need uniform define of convict. tapes. Difficult to determine similar offense might be in our state.
Pennsylvania	Yes	No	Yes	No	No	Yes		NR
Rhode Island	Yes*	No	Yes	No	NR	Yes	*a.All majors.	No comment.
South Carolina	Yes*	Yes	Yes	No	NR	Yes	*a.As of 1-1-81.	NR
South Dakota	No	Yes*	Yes	No	NR	Yes	*b.Computer report.	NR
Tennessee	Yes	Yes	No	No	No	Yes		NR
Texas	No	Yes	No	No	NR	Yes		NR
Utah	No	Yes	Yes	No	No	Yes		NR
Vermont	Yes	No	No	No	NR	Yes		No comment.
Virginia	Yes	Yes	Yes	No	NR	Yes		We do not recommend any changes to DLC.
Washington	No	Yes	Yes	No	NR	No		NR
West Virginia	Yes	Yes	Yes	No	No	Yes		It appears to be working quite well in present form.
Wisconsin	No	Yes	Yes	Yes	NR	Yes		NR
Wyoming	No	Yes	Yes	No	NR	Yes		NR

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	7.(b) If you are not a member of the DLC what would make it more acceptable to your state?
Alabama	May need legislation, but we are exploring administrative authority to formally become a member
Alaska	NR
Arizona	NR
Arkansas	NR
California	We are member.
Colorado	NR
Connecticut	NR
Delaware	We are member.
District of Columbia	NR
Florida	NR
Georgia	NR
Hawaii	NR
Idaho	NR
Illinois	NR
Indiana	NR
Iowa	NR
Kansas	NR
Kentucky	Speeding would keep us from joining.
Louisiana	NR
Maine	NR
Maryland	NR
Massachusetts	Separate governing body consisting of 1 member from each state.
Michigan	NR
Minnesota	NR
Mississippi	NR
Missouri	NR
Montana	NR
Nebraska	NR
Nevada	NR
New Hampshire	NR
New Jersey	NR
New Mexico	NR
New York	NR
North Carolina	NR
North Dakota	No comment.
Ohio	NR
Oklahoma	N/A
Oregon	NR
Pennsylvania	NR
Rhode Island	No comment
South Carolina	NR
South Dakota	NR
Tennessee	NR
Texas	NR
Utah	No comment
Vermont	No comment
Virginia	NR
Washington	NR
West Virginia	NR
Wisconsin	We are prohibited from assigning demerit points to out-of-state convictions.
Wyoming	Strict enforcement of single driver license.

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8. Identify problems your state might have in joining or fully implementing the DLC. (+ means they are member)

	a. Workload	b. Computer system	c. Statutes prohibit	d. Privacy act	e. Point system	f. Legislative resistance	g. Classified license system	h. Priorities	i. Other	
Alabama	+ No	Yes*	No	No	No	No	No	No		*b.Development work underway.
Alaska	Yes*	No	No	No	No	Ye..*	No	No	No	*a.Shortage of staff to handle processing./*c.See #5.
Arizona	+ No	Yes	No	No	No	No	No	No	No	*b.See #6.
Arkansas	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
California	+ No	No	No	No	No	No	Yes*	No	No	*g.Permit refusal if conviction would result in refusal in new state.
Colorado	+ Yes	No	No	No	No	No	No	No	No	*a.Unable to handle violations and suspensions received from other states.
Connecticut	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Delaware	+ *									*a.Has fully implemented the Driver License Compact.
District of Columbia	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Florida	+ No	Yes	No	No	No	No	No	No	No	*b.NDR should be on-line and record exchange between states should be mechanized.
Georgia	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Hawaii	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
Idaho	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
Illinois	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
Indiana	+ Yes	No	No	No	No	No	No	No	No	*a.Personnel limitations.
Iowa	+ Yes*	Yes	No	No	No	No	Yes*	Yes	Yes*	*a.Easier & quicker access to nationwide records is desirable./*g.Each uniform among states./*i.Not available to improve National system.
Kansas	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
Kentucky	No	No	Yes	No	No	Yes	No	No	No	
Louisiana	+ No	Yes	No	No	Yes	No	No	No	No	
Maine	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
Maryland	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Massachusetts	No	No	No	Yes*	No	No	Yes*	No	No	*d.Present law prohibits discrimination of information./*g.States not consistent.
Michigan	No	No	Yes	No	Yes	Yes	Yes	No	No	
Minnesota	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Mississippi	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
Missouri	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Montana	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
Nebraska	+Yes	Yes*	Yes*	Yes	Yes	Yes	No	No	Yes*	*b.Volume & programming limited ($)./*c.Several laws-controversial./*i.Would favor state operated license function controlled by state
Nevada	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
New Hampshire	NR	Yes*	NR	NR	NR	NR	NR	NR	NR	*b.Cost.
New Jersey	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
New Mexico	+ No	Yes*	No	No	Yes*	No	No	No	No	*b.Implementation of N-lets./*e.Uniform point total assessment.
New York	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
North Carolina	No	No	Yes	No	No	No	No	No	No	
North Dakota	Yes*	No	No	No	No	Yes	No	No	No	*a.How much paper work would we receive from other compact states?
Ohio	Yes*	No	No	No	No	No	No	No	No	*a.Fiscal budget problems.
Oklahoma	*Yes	No	Yes	No	No	No	Yes	No	*Yes	*i.For full implementation we need a few statute changes.
Oregon	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
Pennsylvania	No	No	No	No	No	No	No	No	Yes*	*i.Need to review DLC to determine benefits which can accrue.
Rhode Island	NR	NR	NR	NR	NR	NR	NR	NR	NR	
South Carolina	NR	NR	NR	NR	NR	NR	NR	NR	NR	
South Dakota	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Tennessee	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
Texas	No	No	Yes*	No	No	No	No	No	No	*c.Equal treatment of traffic law violations.
Utah	+ No	No	No	No	No	No	No	Yes	No	
Vermont	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Virginia	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
Washington	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	
West Virginia	+ No	No	No	No	No	No	No	No	No	
Wisconsin	No	No	No	No	Yes*	No	No	No	No	*e.See #7.
Wyoming	+ NR	NR	NR	NR	NR	NR	NR	NR	NR	